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Canada. Liquor Traffic in Canada, Royal  
Commission on the

# (ROYAL COMMISSION

ON

# (THE LIQUOR TRAFFIC)

## MINUTES OF EVIDENCE

### VOLUME III.

PROVINCES OF

MANITOBA, NORTH-WEST TERRITORIES

AND

BRITISH COLUMBIA

PRINTED BY ORDER OF PARLIAMENT.



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# GENERAL INDEX.

## MANITOBA, NORTH-WEST TERRITORIES AND BRITISH COLUMBIA.

Name.	Residence.	Place where Evidence taken.	Page.
Abbott, Harry.....	Vancouver.....	Vancouver .....	624
Aird, Alex. A.....	Winnipeg .....	Winnipeg.....	89
Allen, W. C., M.D .....	Fort Macleod.....	Fort Macleod .....	411
Ardagh, Hon. W. D .....	Winnipeg .....	Winnipeg .....	69
Arkle, George.....	Regina .....	Regina .....	249
Atkinson, Thos. C.....	New Westminster.....	New Westminster.....	594
Bain, Hon. Jno. F .....	Winnipeg. ....	Winnipeg.....	65
Baker, Miss L. M. ....	Prince Albert.....	Prince Albert.....	321
Beaven, Robt.....	Victoria.....	Victoria.....	469
Begbie, Sir M. B.....	do .....	do .....	494
Bell, Gordon, M.D .....	Brandon.....	Brandon.....	172
Belyea, A. L.....	Victoria.....	Victoria .....	542
Benson, J. H.....	Regina.....	Regina.....	239
Betts, J. W., M.L.A. ....	Prince Albert.....	Prince Albert.....	311
Boisseau, A. S. ....	Brandon .....	Brandon.....	215
Brett, James .....	Banff .....	Banff .....	448
Brett, R. G., M.D.....	do .....	do .....	451
Brown, C. J .....	Winnipeg.....	Winnipeg.....	91
Brown, George W.....	Regina.....	Regina.....	353
Brown, James.....	do .....	do .....	255
Brown, J. C., M.P.P.....	New Westminster.....	New Westminster.....	602
Burbank, Ed. A.....	Winnipeg.....	Winnipeg.....	134
Cameron, Duncan .....	Regina.....	Regina .....	359
Cameron, Rev. Alex. H.....	Brandon .....	Brandon .....	196
Campbell, George .....	Nanaimo .....	Nanaimo .....	570
Campbell, Rev. John.....	Victoria.....	Victoria.....	537
Cayley, Hon. H. St. Q.....	Calgary.....	Regina.....	235

Name.	Residence.	Place where Evidence taken.	Place.
Choquette, Alex .....	Fort Wrangell, Alaska ..	Victoria .....	529
Clement, Stephen .....	Brandon .....	Brandon .....	206
Colpitts, Enoch .....	Moose Jaw .....	Regina .....	345
Combes, Rev. J. E. ....	Victoria .....	Victoria .....	547
Connors, Thomas .....	Banff .....	Banff .....	444
Cooper, D. H. ....	Brandon .....	Brandon .....	193
Cope, Fred. ....	Vancouver .....	Vancouver .....	610
Cordingley, C. H. ....	Winnipeg .....	Winnipeg .....	150
Costigan, Henry A. ....	do .....	do .....	14
Costigan, John R. ....	Calgary .....	Calgary .....	398
Cotton, John .....	Prince Albert .....	Prince Albert .....	283
Coutlee, L. W. ....	Winnipeg .....	Winnipeg .....	88
Creamer, James .....	Regina .....	Regina .....	340
Cunningham, Mrs. M. ....	New Westminster .....	New Westminster .....	608
Cuthbert, A. Ross .....	Calgary .....	Calgary .....	385, 397, 402
Daniels, Rev. S. ....	Brandon .....	Brandon .....	188
Davis, T. O. ....	Prince Albert .....	Prince Albert .....	323
Davies, Joshua .....	Victoria .....	Victoria .....	509
Devine, John .....	Vancouver .....	Vancouver .....	646
Dick, Frank .....	Calgary .....	Calgary .....	374
Donaldson, Sam. J. ....	Prince Albert .....	Prince Albert .....	274
Dowling, Thos. ....	Calgary .....	Calgary .....	368
Dowler, W. J. ....	Victoria .....	Victoria .....	476
Drake, Samuel .....	Nanaimo .....	Nanaimo .....	552
Drury, Edward L. ....	Winnipeg .....	Winnipeg .....	32
Drummond, H. M. ....	do .....	do .....	94
Dykes, Andrew .....	do .....	do .....	117
Eddy, William P. ....	Regina .....	Regina .....	349
English, Thomas .....	Calgary .....	Calgary .....	370
Evans, Robert .....	Fort Macleod .....	Fort Macleod .....	415
Ferguson, John J. ....	Banff .....	Banff .....	449
Ferguson, Wm .....	Brandon .....	Brandon .....	199
Ferre, M. ....	Winnipeg .....	Winnipeg .....	142
Fisher, I. B. ....	New Westminster .....	New Westminster .....	605

Name.	Residence.	Place where Evidence taken.	Page.
Forget, A. E. ....	Regina .....	Regina .....	245
Gagnon, Severe .....	do .....	Prince Albert .....	296
Gault, George F. ....	Winnipeg. ....	Winnipeg. ....	121
Gillespie, D. H. ....	Regina .....	Regina .....	348
Goff, Samuel. ....	Nanaimo .....	Nanaimo .....	558
Gordon, R. B. ....	Regina .....	Regina .....	228, 242
Graburne, Chris. H. ....	Winnipeg .....	Winnipeg .....	142
Gunn, W. ....	Prince Albert .....	Prince Albert .....	326
Hall, Ernest, M.D. ....	Victoria .....	Victoria .....	506
Hall, Lewis .....	do .....	do .....	544
Hall, R. H. ....	do .....	do .....	489, 493
Hamilton, Rev. G. ....	Fort Macleod .....	Fort Macleod .....	420
Hammersley, Alf. St. G. ....	Vancouver. ....	Vancouver. ....	654
Harper, Frank. ....	Banff. ....	Banff. ....	430
Harvey, James. ....	Indian Head .....	Regina .....	254
Haslem, Andrew .....	Nanaimo. ....	Nanaimo .....	555
Henderson, Wm. ....	Regina .....	Regina .....	259
Herchmer, L. W. ....	Prince Albert .....	Prince Albert .....	287
Hesson, F. H. ....	Brandon .....	Brandon .....	175
Hilton, Rev. Donald .....	Fort Macleod .....	Fort Macleod .....	412
Hodder, Edward .....	Calgary. ....	Calgary. ....	376
Hollies, John. ....	Fort Macleod .....	Fort Macleod. ....	422
Honeyman, John R. C. ....	Regina .....	Regina .....	358
Houghton, Thomas .....	Victoria .....	Victoria .....	519
Houston, Wm. ....	New Westminster .....	New Westminster .....	600
Hughill, L. F. ....	Brandon .....	Brandon .....	189
Humber, Morris .....	Victoria .....	Victoria .....	485
Inkster, Colin. ....	Kildonan, Man. ....	Winnipeg. ....	91
Jack, W. D. B., M.D. ....	Vancouver. ....	Vancouver. ....	653
Jenkins, Rev. W. H. ....	Brandon .....	Brandon .....	213
Johnston, T. C. ....	Regina .....	Regina .....	261
Johnston, Wm. ....	Brandon .....	Brandon .....	195
Jordan, George A. ....	Vancouver. ....	Vancouver. ....	614



Name.	Residence.	Place where Evidence taken.	Page.
Jukes, Ed. . . . .	Brandon . . . . .	Brandon . . . . .	203
Kennedy, G. A., M.D. . . . .	Fort Macleod . . . . .	Fort Macleod . . . . .	419
Kenrick, E. B. . . . .	Winnipeg. . . . .	Winnipeg. . . . .	144
Kerr, Jno. H. . . . .	Regina . . . . .	Regina . . . . .	351
Killam, Hon. A. C. . . . .	Winnipeg. . . . .	Winnipeg. . . . .	145
King, Rev. J. H. . . . .	Regina . . . . .	Regina . . . . .	336
Kircaldy, James. . . . .	Brandon . . . . .	Brandon . . . . .	169
Langley, John M. . . . .	Victoria . . . . .	Victoria. . . . .	534
Lawler, Patrick . . . . .	St. Boniface . . . . .	Winnipeg. . . . .	87
Leacock, E. P. . . . .	do . . . . .	do . . . . .	47
Lenan, Denis F. . . . .	Winnipeg. . . . .	do . . . . .	46
Lucas, Alex. . . . .	Calgary . . . . .	Ca'gary . . . . .	362
Marsh, George. . . . .	do . . . . .	do . . . . .	404
Mellon, H. A. . . . .	Vancouver. . . . .	Vancouver . . . . .	650
Millar, Joseph E. . . . .	do . . . . .	do . . . . .	628-643
Mook, Ng. . . . .	Victoria. . . . .	Victoria . . . . .	536
Morseley, Wm. . . . .	New Westminster. . . . .	New Westminster. . . . .	598
Mowatt, Dan., M.L.A. . . . .	Regina . . . . .	Regina . . . . .	225
Mulock, W. R., Q.C. . . . .	Winnipeg. . . . .	Winnipeg. . . . .	128
MacCrae, F. . . . .	Victoria . . . . .	Victoria . . . . .	481
Macdonald, John A. . . . .	Brandon . . . . .	Brandon . . . . .	208
Macdonald, Wm. A. . . . .	do . . . . .	do . . . . .	178
Mackenzie, C. C. . . . .	Nanaimo . . . . .	Nanaimo . . . . .	586
MacIise, W. V. . . . .	Prince Albert. . . . .	Prince Albert. . . . .	308
McArthur, Duncan . . . . .	Winnipeg. . . . .	Winnipeg. . . . .	111
McCull, Ebenezer. . . . .	do . . . . .	do . . . . .	10
McDiarmid, Jno., M.D. . . . .	Brandon . . . . .	Brandon . . . . .	170
McDonald, Alex. . . . .	Winnipeg. . . . .	Winnipeg. . . . .	51
McGregor, W. . . . .	Nanaimo . . . . .	Victoria. . . . .	566
McGuigan, Thos. F. . . . .	Vancouver. . . . .	Vancouver. . . . .	613
McGuigan, W. J., M.D. . . . .	do . . . . .	do . . . . .	638
McGuire, Hon. T. H. . . . .	Prince Albert. . . . .	Prince Albert. . . . .	277
McKay, Thos., M.L.A. . . . .	do . . . . .	do . . . . .	314

Name.	Residence.	Place where Evidence taken.	Page.
McKay, Ven. Archdeacon.....	Prince Albert.....	Prince Albert.....	317
McLaren, James.....	Vancouver.....	Vancouver.....	617
McLeod, Hon. J. F.....	Fort Macleod.....	Fort Macleod.....	416
McLeod, Murdoch G.....	Vancouver .....	Vancouver.....	621
McLeod, Rev. Angus J.....	Regina .....	Regina.....	343
McLennan, J. K.....	Winnipeg.....	Winnipeg.....	147
McMillan, James E.....	Victoria.....	Victoria.....	505
McNab, W.....	Banff.....	Banff .....	459
McRae, Rev. D. A.....	Nanaimo.....	Nanaimo.....	580
McRae, J. C.....	Winnipeg.....	Winnipeg.....	6
McTaggart, John.....	Prince Albert.....	Prince Albert .....	324
McTiernen, Patrick.....	New Westminster.....	New Westminster.....	607
Nixon, Ed. B.....	Winnipeg.....	Winnipeg.....	18
Nixon, Thomas.....	do.....	do.....	37
Nolan, Patrick J., Jr.....	Calgary.....	Calgary.....	408
Norman, Francis.....	Prince Albert.....	Prince Albert.....	292
O'Connor, Thomas.....	Nanaimo.....	Victoria.....	565
Odlum, Ed.....	Vancouver.....	Vancouver.....	643
Orton, Geo. T., M.D.....	Winnipeg.....	Winnipeg.....	77
Patrick, W. H.....	Fort Macleod .....	Fort Macleod.....	428
Pawson, John M.....	Nanaimo.....	Nanaimo.....	583
Peebles, Adam J. L.....	Winnipeg.....	Winnipeg.....	2
Perry, A. B.....	Regina.....	Regina.....	269
Peterson, A. M.....	Brandon.....	Brandon.....	176
Planta, Joseph P.....	Nanaimo.....	Victoria.....	561
Pope, James C.....	Regina.....	Regina.....	232, 242
Praeger, E. M., M.D.....	Nanaimo.....	Nanaimo.....	577
Preston, Isaac.....	Vancouver.....	Vancouver.....	633
Randolph, Joseph, jr.....	Harewood, B.C.....	Nanaimo.....	576
Reed, Hayter.....	Regina.....	Regina.....	222
Reed, John L.....	Prince Albert.....	Prince Albert.....	300
Richards, Hon. A. N.....	Victoria.....	Victoria.....	503
Richardson, Hon. H.....	Regina.....	Regina.....	219

Name.	Residence.	Place where Evidence taken.	Page.
Rochester, Rev. W. M.....	Prince Albert . . . . .	Prince Albert.....	304
Robertson, Peter.....	do . . . . .	do . . . . .	298, 319, 328
Robson, Chas. W.....	Vancouver . . . . .	Vancouver . . . . .	645
Robson, Rev. E.....	New Westminster.....	New Westminster... .	606
Rouleau, Hon. C. B. . . . .	Calgary.....	Calgary.....	380
Royal, Hon. Jos.....	Regina . . . . .	Regina . . . . .	462
Sauer, G. C.....	Victoria . . . . .	Victoria.....	516
Schofield, F.....	Vancouver . . . . .	Vancouver . . . . .	631
Schultz, Hon. John.....	Winnipeg.....	Winnipeg.....	158
Semmens, Rev. J.....	do . . . . .	do . . . . .	155
Shakespeare, Noah . . . . .	Victoria . . . . .	Victoria . . . . .	531
Sheppard, H. W. . . . .	do . . . . .	do . . . . .	478
Sjibald, J. S. . . . .	Regina . . . . .	Regina . . . . .	272
Sifton, A. . . . .	Calgary.....	Calgary.....	390
Sifton, John W.....	Winnipeg.....	Winnipeg.....	94
Small, W.....	do . . . . .	do . . . . .	102
Smith, G. Dell.....	Victoria . . . . .	Victoria . . . . .	550
Smith, Jacob W.....	Regina . . . . .	Regina . . . . .	334
Spencer, Richmond, M.D. . . . .	Brandon . . . . .	Brandon . . . . .	184
Steen, Jas. L. . . . .	Winnipeg.....	Winnipeg.....	57
Stewart, George A. . . . .	Banff. . . . .	Banff . . . . .	436
Stewart, Rev. John. . . . .	Treherne, Man.....	Winnipeg.....	106
Stull, Jas. P. A. . . . .	Prince Albert. . . . .	Prince Albert.....	316
Thompson, F. W.....	Winnipeg.....	Winnipeg.....	113
Todd, Jno. C. . . . .	Brandon . . . . .	Brandon . . . . .	164
Townshend, W. D. . . . .	New Westminster.....	New Westminster.....	589
Tupper, R. L. . . . .	Winnipeg.....	Winnipeg.....	22
Urquhart, Rev. Alex.....	Brandon . . . . .	Brandon . . . . .	181
Walkem, W. W., M.D. . . . .	E. Wellington, B.C. . . . .	Nanaimo.....	573
Walker, James.....	Calgary . . . . .	Calgary . . . . .	372
Ward, Robert.....	Victoria . . . . .	Victoria . . . . .	521
Watson, Rev. C.....	do . . . . .	do . . . . .	540
Welsh, Rev. John K.....	Indian Head.....	Regina . . . . .	265



Name.	Residence.	Place where Evidence taken.	Page.
Westwood, A .....	Prince Albert.....	Prince Albert.....	319
White, David .....	Banff. ....	Banff .....	440
Williams, Jas.....	Regina .....	Regina .....	243
Williams, Milton.....	Gleichen .....	Calgary.....	400
Williams, Richard H.....	Regina .....	Regina .....	333
Willoughby, J. H. C., M.D.....	do .....	do .....	329
Wilson, Alex.....	Victoria. ....	Victoria .....	513
Wolfe, Marcus. ....	Nanaimo .....	Nanaimo.....	568
Woodsworth, Rev. Jas.....	Brandon.....	Brandon.....	202
Wright, Alf. D. ....	Regina .....	Regina .....	342
Wrigley, Jas. H.....	Fort Macleod.....	Fort Macleod.....	414



ROYAL COMMISSION  
ON THE  
LIQUOR TRAFFIC.

MINUTES OF EVIDENCE.

MANITOBA.

WINNIPEG, October 24th, 1892.

The Royal Commission on the Liquor Traffic met here, in the City Hall, this day at 10.30 a.m.

*Present :*

JUDGE McDONALD.

REV. DR. McLEOD.

The Commission having been read,

JUDGE McDONALD said: I desire to state that it was the intention of the Commission, that all the members should have been present here to-day. The Chairman of the Commission Sir Joseph Hickson, subsequently found it impossible to be present, and it was suggested that Mr. Clarke, Rev. Dr. McLeod and myself should begin the work. Mr. Clarke has not yet arrived; but as this day has been advertised as that on which the Commission would open its proceedings here, we will proceed with the investigation and the taking of evidence on the subjects referred to the Commissioners by the Commission. I may also explain that Mr. Gigault, one of the Commissioners, is Deputy Minister of Agriculture for the Province of Quebec, and he is detained by duties connected with that office. I may state further that the Commissioners unanimously admit the great evils that result from drunkenness, and therefore we have not thought it necessary to enter into any investigation of what might be called the moral side of this question in places where we have hitherto held sittings; but of course, we have taken up all the phases of the question of the liquor traffic in so far as such bear on the commercial and social interests of the country, and also in regard to any other matters that come properly under the terms of the Commission. The usual course adopted in each place we have visited has been to call, as the first witness, the Chief Magistrate of the town or city, and following that rule, we shall be glad to take the evidence of the Mayor of Winnipeg, and in his absence that of a prominent public official.



ADAM JOHN LANE PEEBLES, Police Magistrate of Winnipeg, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

30436. How long have you resided in Winnipeg?—I have resided in Winnipeg since 1870.

30437. How long have you been Police Magistrate?—About thirteen years, since 1879.

30438. Has there been a great change in any way since you came here?—Winnipeg has grown since I came here.

30439. Did you come from some other section of Canada?—From Toronto, Ontario. I came with Sir Garnet Wolsley and his expedition.

30440. Will you state briefly to the Commission what is your jurisdiction?—Winnipeg and throughout the province, but my duties are chiefly in Winnipeg. I am Police Magistrate for the province as well as for the city, but my duties are principally or almost entirely confined to city matters, to matters that come before me here. Cases connected with by-laws and different matters are occasionally brought before me from the country districts.

30441. I suppose you take preliminary examinations in criminal cases sent for trial?—I do.

30442. You have spoken of trying cases under city by-laws, or offences such as drunkenness and disorderly conduct and offences of like character tried under the city by-laws? Do you hear such cases?—Yes, and various other cases.

30443. Those offences are dealt with under the city by-laws and not under statutory law.—Quite so.

30444. You have had cases brought before you under the Vagrant Act, I suppose?—Yes, sometimes under the Dominion Act and sometimes under the by-laws.

30445. Taking your experience, and also taking into consideration the growth of the city, has there been an increase or decrease of drunkenness?—During the last four or five months there have been something less than two cases of drunkenness per day or 18·2 per month.

30446. You hold a sitting of the court every lawful day?—Sometimes my colleague sits for me.

30447. There is a session of the court, if there is any business to come before it?—Yes.

30448. Are those cases of drunkenness of which you have spoken confined to city people?—Entirely to city people.

30449. Do you have very many cases before you of illicit sale of liquor, selling without license?—Not a great many; recently we have had one or two cases. During the last four or five months we have had one case of a wholesale dealer selling liquor, which was drunk on the premises, and I think one man has been convicted for selling without a license, but that was outside of the city. Another one is before the court at this moment; and there are four hotel-keepers up just now, but their cases have not been adjudicated upon.

30450. Are you able to inform the Commission as to how many licensed places there are in the city?—I cannot tell you.

30451. You are not one of the issuers of licenses?—No; those details will no doubt be furnished to the Commission by other witnesses.

30452. Taking your experience, because it is with that we wish to deal in taking evidence, and we also desire to obtain any suggestions you desire to make to the Commission, in order that we may report them to Parliament, can you inform the Commission, in the first place, as to the mode of granting licenses?—I think probably that if fewer licenses were granted and if greater restrictions were imposed, it would be of great advantage. I do not think it is necessary to have any restaurant licenses.

30453. Would you confine the liquor sale to hotels?—Yes, to hotels.

30454. Are groceries allowed to be sold with liquor here?—Several of the groceries sell liquor, but they have separate stores in which the sale takes place.

ADAM JOHN LANE PEEBLES.

30455. How long has that been the law?—I could hardly tell you, two or three years.

30456. Do you think it is beneficial?—Yes, I think it is, not to allow the sale of liquor with groceries.

30457. It has been stated in some parts of Canada that when liquors are sold with groceries, there is a temptation to purchase liquors?—I do not think they are sold in grocery stores here, but they are always sold in a detached building.

30458. You think it is an improvement?—Yes, a decided improvement.

30459. Are you troubled here with sale of liquor to minors?—I have not had any cases of that character at all.

30460. I refer to lads under age?—We have no cases.

30461. You have spoken of four cases pending: of what nature are they?—They are cases for selling during prohibited hours.

30462. Have you had many cases of that kind heretofore?—No, not a great many.

30463. Have you had many cases of what are called breaches of the Sunday law?—No, very few; we have not had any recently.

30464. Have you any law in regard to prohibiting the sale of liquor in billiard and pool rooms, or is that allowed to prevail here?—Not without a license.

30465. Is it allowed with a license?—I suppose so.

30466. Have you had any experience to enable you to say whether it would be beneficial to have such sales prohibited?—I think these rooms are only in hotels or restaurants here. I know of no detached buildings used for billiard or pool rooms.

30467. Has your attention been called to the fact that liquor sold is adulterated?—I have never had any case of adulteration of liquors brought before me.

30468. I do not mean charges against people for adulterating liquor; but I desire to ask whether the effects of liquor on persons brought before you have been such as to lead you to suspect that there were adulterated compounds sold as liquor?—No.

30469. You do not know whether there are such compounds sold?—No; I have not had any experience in such cases.

30470. Have you had any experience of the working of a prohibitory law?—No.

30471. Have you always lived in a country where liquor could be lawfully sold?—Yes.

30472. Have you any experience of countries in which light wines are commonly used, and in which they are used as a common drink at the table?—I have been in the Mediterranean countries.

30473. What opinion did you form in regard to wine-drinking in the countries there?—That time is so many years ago, I hardly like to speak of it. It was fifty years ago when I left the service.

30474. Were light wines commonly used in those countries?—They were.

30475. Were they used as ordinary table beverages?—They were.

30476. From your knowledge of Winnipeg, has there been any change in the social customs of the people in regard to the use of intoxicating liquors?—I think not; they have always indulged in them moderately.

30477. In some places we have found that owing to temperance societies and the churches, the social customs have changed, so that a great deal less liquor is used?—I do not think there has been any change of that kind here; at all events, I am not acquainted with it.

30478. Taking the cases that come before you, can you state what proportion are attributable to the use of intoxicating liquors?—I am not in a position to state the proportion, but a great many of them are due to the use of intoxicating liquors.

30479. Take the cases all together: what percentage of the cases coming before you would be directly attributable to the use of intoxicating liquors?—I do not think there have been any of them due to that.

30480. Take the cases of drunkenness and all the other cases, in what proportion of them is drunkenness the main cause?—We have on an average only about two cases and sometimes none.

30481. Taking the whole cases that come before you, drunkenness and all other offences, is the proportion of cases due to the use of intoxicating drinks a large one?—I

do not think so. There have been only two cases of drunkenness daily for the past five years, and not many other cases, not including breaches of the health by-law.

30482. Are there any suggestions you wish to make to the Commission in regard to the liquor traffic, any amendments to the law you desire to suggest?—I have not considered the matter; I did not know on what points I would be examined.

*By Rev. Dr. McLeod:*

30483. You have said that the arrests for drunkenness have not exceeded two per day. Do you understand that that is about the number of drunks in the city?—I would be sorry to say that; I simply referred to the number brought before me.

30484. Do you think that the police arrest all drunken people whom they see?—I think the probabilities are that if a man is a little intoxicated, he may be sent to his home.

30485. You think it is the rule in case a man is going along, although not very steadily but quietly and is tending homewards, to allow him to go?—Yes.

30486. But if he is creating a disturbance they arrest him, I suppose?—Then he is arrested—there is no doubt about it.

30487. I think you said there has not been much change in the drinking habits of the people during late years?—I do not think there has been an increase in proportion to the population.

30488. You remember very well the boom days?—Yes.

30489. Was there more drinking then than now?—Yes.

30490. To what do you attribute the change, to the fact that there is less liquor drunk now than then?—I suppose there is not as much money about, and everybody was in a state of excitement in the boom days.

30491. You think that aside from that time, which covered an exceptional condition of things, the condition has been about the same?—There has been very little change.

30492. You have said that you do not have before you very many cases of violation of the license law?—No.

30493. Have you reason to believe there are many cases of violation, aside from those you know officially?—As to whether there is drinking during prohibited hours, I have no doubt of it. I have, however, no positive knowledge of my own, but simply hearsay testimony.

30494. You say that there have only been a few cases brought before you officially; but from your own knowledge, do you think there is a good deal of such sale?—Both on Sunday and on other days.

30495. Have you any idea why more cases have not been prosecuted and brought before you?—Only that the cases have not been brought forward.

30496. Whose duty is it to prosecute in such cases?—I consider it is the duty of the Inspector of Licenses, Mr. Clarke.

30497. What is the extent of his jurisdiction?—He is Inspector for the whole province and also for the city of Winnipeg.

30498. Then he has his hands full to perform the duties of his office?—Yes.

30499. The charges brought before you, however, have been charges brought up by him, I suppose?—Yes.

30500. Under whose direction are the police of this city?—Under the direction of the Mayor, the Judge of the County Court and myself.

30501. Do you know if the police take notice of violations of the license law?—I do not think it is the duty of the police to do so, except they see an open violation of the law, such for instance, as finding a number of people getting drinks during prohibited hours in saloons or places of that kind.

30502. Have you had any instructions in regard to enforcing the license law?—I have here a letter from the Board of Police Commissioners to the Department of the Attorney General on the subject. The letter is as follows:—(Appendix 1.)

30503. Does the Board of Police Commissioners instruct the police to give any special attention, or such attention as they can give outside of other matters, to violations of the license law?—They do.

ADAM JOHN LANE PEEBLES.



30504. So after all the whole duty of conducting prosecutions in connection with illicit sales does not devolve upon the Inspector, as the police are always supposed to give some attention to that matter?—In the event of seeing premises open during prohibited hours or seeing a concourse of people, we consider it would be their duty to interfere.

30505. Would it be their duty to make complaints to the Inspector or lay complaints before you?—To complain to the Inspector.

30506. Then it would seem that the Inspector has a good deal to do if he has to watch the violations of the law, not only in Winnipeg but all over the province?—He may have detectives to do that work.

30507. Has he no deputies?—I do not know.

30508. Then he may employ detectives sometimes on this service?—No doubt he does so.

30509. Have you reason to believe that there is a good deal of Sunday selling?—I have, apart from my own personal knowledge; I know it from hearsay.

30510. A generally formed opinion, I suppose?—I am very little in the city on Sunday, but I hear that a good deal of selling takes place.

30511. Are they many illicit places, that is to say, unlicensed places, selling liquor?—I think not, but that is a point on which I am not well posted.

30512. Do many such cases come before you?—Very rarely. There is a man out in Headingley who is before me now for selling without a license.

30513. You spoke about abolishing restaurant licenses. Do you think the sale of liquor would be better confined to hotels; and, if so, why?—I think there are great inducements presented by restaurants for men to visit them.

30514. Are not the restaurants supposed to supply meals?—They are.

30515. Are they simply drinking saloons?—I do not know that myself.

30516. But you think that it would be better to confine the sale to hotels and not have any saloons in the city?—Yes.

30517. You think the hotels are less likely to permit excessive drinking there?—I do.

30518. And you think they would form less temptation to the community?—Yes, and they are necessary to the better classes.

30519. Do you think that the drink trade is a danger to the community?—I do not know that.

30520. But I understand you to say, that in your opinion, hotels are less dangerous than saloons?—I do not know.

30521. What are the prohibitory provisions of the license law here: what are the hours during which sale is illegal?—You will find all such particulars set out in the Act. The prohibited hours, I think, are from 8.30 Saturday night to 7.00 on Monday morning.

30522. And you have a good many cases other than those connected with drunkenness?—Yes.

30523. Have you been able to determine the relation between drunkenness and other crimes that come before you; for instance, petty offences like assaults and petty thefts and that kind of offence. Is any proportion of those offences traceable to drink?—I do not think so in many cases, it may be so in some few cases.

30524. Then it is your belief that the drink trade and drink habit are not responsible for these offences?—They may be so in a few cases.

30525. I think you said that you did not think there is much sale to minors?—There is not much.

30526. Such cases have not come before you?—No.

30527. I suppose you would not like to state that sale to minors does not take place?—No.

30528. The law, I believe, prohibits the sale of liquor to Indians?—Yes.

30529. Is that law violated?—Yes, there are not a great many cases of sale to Indians brought before me, but every now and then there is a case.

*By Judge McDonald:*

30530. Do you find in cases of sale to Indians that the sale has been made to them directly, or have people been sent in to get the liquor?—We have great difficulty in dealing with these cases. Indians when interrogated always state that white men have

given them the liquor. In one case we had recently, we discovered that a white had sold it.

30531. Such cases are dealt with under the Dominion law?—Yes.

30532. Taking your statement and judging from the experience we have had of your city, the Commissioners have found it a very quiet and orderly one.—It is very quiet, orderly and well conducted, and considering the different nationalities we have in the city, and its contiguity to the United States, its orderly character is very remarkable.

*By Rev. Dr. McLeod :*

30533. Do you think it would be well to reduce the number of licenses issued in this city?—If you were to take away licenses to restaurants that would reduce them.

30534. And you think that would be an advantage?—Yes.

30535. Do you think a reduction in the number of licensed places would reduce the quantity of liquor drank?—Yes, I think if the sale of liquor was confined to hotels there would be a better class of people engaged in that trade ; however, some of the restaurants are highly respectable—there is no question about that.

30536. Speaking of restaurants that are highly respectable : do you know whether those restaurants ever violate the provisions of the license law?—I think very probably they do, but I am not aware of it.

30537. Do you think the hotels violate the provisions of the license law?—Yes ; but I have no positive knowledge myself, and I am only speaking of what I hear.

30538. And you think it would be advantageous to confine licenses to hotels and to reduce the number of licenses issued, as that would reduce the amount of drinking and be beneficial generally?—It would be so.

J. C. McRAE, Chief Constable of the city of Winnipeg, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

30539. How long have you resided in Winnipeg?—Since 1881 continuously, except when I was absent on leave.

30540. How long have you been Chief Constable?—Since February, 1887.

30541. From what part of Canada did you come?—From near Ottawa, Ontario.

30542. How many men have you on your force?—Sixteen all told, including officers.

30543. Have you any special duties to perform in connection with infringements of the license law?—None specially.

30544. As a police officer, are you called upon occasionally to aid in the enforcement of the license law, by serving papers and summonses?—We have been so employed.

30545. And have you been employed in enforcing municipal by-laws to prevent drunkenness and disorderly conduct?—We do that work.

30546. Have you any system or rule in regard to dealing with people found on the street under the influence of intoxicating liquors : are they always arrested?—Not always.

30547. Are people who are able to make their way home permitted to go home?—That is the understanding.

30548. So long as they are not disturbing people?—So long as they are not disorderly.

30549. Is it your duty to officially visit places where liquors are sold and make inspection in any way?—No, we are not expected to do so.

30550. There is no statute or by-law to that effect?—There is no by-law ; there may be a statute saying that a police officer may do so.

ADAM JOHN LANE PEEBLES.

30551. It is not necessary for you as Chief Constable to do so, but the police officers may do the work?—Yes.

30552. From your experience, what would you say as to the observance of the Sunday provision of the license law; is the law well observed in the city, or is it frequently broken?—Personally, I cannot speak in regard to it. I have not been in a hotel during four years.

30553. When you have no knowledge to enable you to speak on the question?—I have no knowledge personally.

30554. Can you speak in regard to the selling of liquor to minors?—I have known minors to be in a state of intoxication.

30555. Have you known any cases where persons have been tried for selling to minors?—I cannot now recall any case.

30556. The Mayor has spoken of selling to Indians. What is your experience in regard to that matter?—There have been convictions made within the last six months of selling to Indians.

30557. Did you ever yourself see Indians under the influence of liquor?—Not very frequently, but occasionally there are Indians arrested for being drunk.

30558. Have you observed whether the separation of the sale of liquor from the sale of groceries has been beneficial in its effects? Do you believe it a better system than the old one, under which liquors and groceries were sold together?—I believe it may be so, but I do not know personally any beneficial results.

30559. You have heard the evidence of the Mayor in regard to the choice as between hotels and restaurants. What is your view in regard to that subject, whether both should be maintained, or supposing either to be done away with, which would it be better to dispense with? If I were going to dispense with either, I would dispense with the restaurant license.

30560. I asked the Magistrate as to whether it would be advantageous to separate the sale of liquor from billiard or pool rooms; do you know anything in regard to that matter?—There is no sale of liquor carried on in connection with billiard and pool rooms alone.

30561. Do you mean that the billiard or pool rooms are connected with hotels or restaurants?—Yes.

30562. Have you had any experience in regard to the adulteration of intoxicating liquors?—No.

30563. I mean the effect on men who drink them?—I do not know anything about that matter.

30564. Has your attention been called to the subject?—I have heard of the adulteration of liquor, but I know nothing about it.

30565. It has been stated to the Commission by some police officers and by persons occupying such a position as you occupy, that compounds have been drunk by people who afterwards have become almost paralyzed. Have you heard of compounds being mixed with liquors which would produce those effects? I believe such things have been done, but I do not know of any such case.

30566. Have you noticed such effects on persons brought into custody?—We have had persons retained as witnesses who were evidently suffering from the effects of drugs, but of course we did not know what kinds of drugs.

30567. Was any investigation made into the matter?—No.

30568. What would you say in regard to illicit sale of liquor: do you know if there are many persons selling without licenses?—I do not know whether that practice prevails to any great extent in Winnipeg.

30569. You have not had your attention called officially to it?—I do not know about it officially, but I have heard of some cases.

30570. Have you had any experience of the working of a prohibitory law?—No.

*By Rev. Dr. McLeod:*

30571. By whom are you appointed?—By the Board of Police Commissioners.

30572. Has your force been increased during late years?—No, it has decreased.

30573. The decrease was warranted by the condition of the city, I suppose?—After the boom, the city wanted to economize, and consequently the force was reduced.

30574. At the time of the boom there was a large influx of people and the condition of affairs was not so orderly, I presume?—There was not such good order maintained as now.

30575. The city is now back to its normal state, I suppose, and you do not find it difficult with the force you now have to maintain order?—We are kept busy with the number of men we have; we have not enough men.

30576. Have you observed whether the drink habit accounts for a considerable proportion of the offences committed, including disturbances; in other words, whether any considerable proportion of the disturbances and other offences are attributable to the saloons and to the drinking habits of the people? Have you any idea of the percentage, and if so what is the percentage?—In some instances they might be so.

30577. Do you think any considerable number of these offences are so attributable, or only a few?—In regard to disturbances in the city, many of them are no doubt directly attributable to liquor, but as to petty larcenies, while persons charged with those offences attribute their cause to drink, in my opinion they only present that as an excuse.

30578. Have you received instructions from the Commissioners as to your duties and to the duties to be performed by your men?—We are provided with rules and regulations.

30579. Have you received any instructions as to the enforcement of the license law?—Instructions are given from time to time as required.

30580. You said, I think, in answer to Judge McDonald, that the police may do such and such things?—Yes.

30581. I notice in Section 166 of the License Law, that any police officer or police inspector shall for the purposes of carrying out the provision of the Act, have the right to enter premises and make search for liquor. Do you consider that you and your men are authorized to make complaints as to the violation of the License Law, or do you think you should have special instructions from the Police Commissioners, in addition to that section of the Act?—I do not think we should have instructions as to the enforcement of the law, because it conflicts with our other duties in regard to the detection of crime, or at least it might do so. I think there should be an officer independent of the police, whose duty it should be to enforce that Act.

30582. That is the duty of the Inspector of Licenses, I believe?—I should so consider it.

30583. But it would appear that he has the whole of the province to look after?—It is true that he is Chief Inspector of the province, but he has a deputy inspector in each district.

30584. You understand it is the duty of the police to assist him in this work?—I think it might be considered to be their duty to endeavour to get information. For instance, if at hotels there were gross violations of the law taking place, such as rowdiness, drunkenness or fighting during prohibited hours, in my opinion it would be the duty of a police officer to see that the law was enforced.

30585. But only in case of disturbance occurring?—Only where there are gross violations of the law taking place.

30586. As a matter of fact, has the Board of Commissioners instructed you to have your men keep watch on licensed places?—They have instructed my men to endeavour to see that the law was obeyed.

30587. Have you instructed your men accordingly?—I have so instructed the men.

30588. Do you know whether the men give attention to that matter in connection with performing their other duties?—I have no doubt that the law has been obeyed.

30589. And they make complaints to the Inspector, I suppose?—They have no right to make complaints to the Inspector, for that would be a breach of discipline.

30590. But they do make complaints?—It is their duty to make a report.

30591. A report to you or to some other official?—They make it to me, but I have not received any reports yet.

J. C. McRAE.



30592. Then they have not made any reports?—I have not received any.

30593. I suppose you agree with the Magistrate that there is probably considerable illicit sale, although that has not come under your notice officially?—Do you mean during prohibited hours?

30594. I mean by people not licensed?—I do not know of any houses where there is illicit sale, except in houses of ill-fame.

30595. There is illicit sale in that there is sale during prohibited hours?—I do not know it, but I believe there is.

30596. You have no official knowledge of it?—I do not know; I do not taste liquor myself.

30597. You have not had the fact brought to your attention, that illicit sale has taken place in many cases?—I have not had it called to my attention or mentioned to me at all.

30598. Is your knowledge the general knowledge that people possess? Do you find it difficult to enforce any laws that may be enacted and which it is the duty of your men to enforce?—I do not find it difficult myself.

30599. Do you think there would be less drinking if there were fewer places licensed?—My impression about the drinking habit is that there is a good deal of it done through company. A crowd will get together and they will drink on account of the company; they will treat, and because one man does so, another man will do likewise.

30600. Then it is done on the score of good fellowship?—Yes, those who drink on these occasions may not have any appetite for liquor, but they do it as they like company. In consequence the more men that happen to be together in one place the more drinking there is apt to be.

30601. What suggestions would you make about the closing of restaurants? I think you said it would be better to close restaurants, continuing the sale of liquor at hotels. Do you think there would be more or less liquor bought?—I do not think I said that.

30602. I thought you agreed with the Police Magistrate on that point?—I think that if I had to choose between one or the other, I would cancel the licenses to restaurants, because some of them are simply drinking places.

30603. Do you think there would be more probability of young men congregating in hotels and drinking than there would be in restaurants?—I do not know.

30604. I ask this question because it seems to be a disputed one at the different cities we have visited. Some people have expressed the opinion that it would be well to close restaurants and confine the sale of liquor to hotels. We are anxious to ascertain the reason for that opinion?—Some of the restaurants profess to do nothing but sell liquor, and they are practically supported by the sale of liquor, and I suppose they would not act so judiciously and carefully if they had other means of livelihood such as the regular business of a hotel.

30605. Other people have made this point: The hotel is really more injurious than the liquor saloon, because when a man goes to the saloon he goes there simply to obtain drink, and he will not go there unless the habit is pretty well formed and he has reached a point where he does not care who knows, while young men and others might go to a hotel under the pretense of seeing a man, and under cover of this might go to the bar and obtain drink. So the question arises: which is the more dangerous, the hotel bar or the bar proper, where nothing is sold except liquor?—I do not know.

*By Judge McDonald:*

30606. In looking up the Government statistics, I find that the number of convictions for breaches of the liquor law seems to be gradually diminishing. In 1889, the number for the whole province was 30; 1890, 15; in 1891, 11.—I do not know anything about the province. I might say my duty is confined almost entirely to the city, although when crime is committed here, we follow those who commit it all over the province.

30607. Do you find the number of convictions for drunkenness has decreased very much since you came into office?—Yes.

30608. I observe that in 1882 for the whole province the number was 2,504; in 1883, 2,258; in 1884, 1,085; 1885, 711; 1886, 631; 1887, 529; 1888, 479; 1889, 591;

1890, 486; 1891, 518.?—I do not think there is as much liquor drank now as there was some years ago, when I first joined the force.

30609. You yourself have never known the taste of liquor, I believe; you are a total abstainer? Yes, I drink a glass of hot Scotch prescribed by the doctor, but with that exception, I do not know the taste of liquor.

30610. Have you given any consideration at all to the question of prohibition?—I have given but little consideration to it.

30611. You cannot speak from your own experience?—No.

30612. As a member of the Commission, I desire to ask this question in connection with the matter, whether, if prohibition was enacted, compensation should be made to persons who are engaged in the manufacture of liquors: distillers, brewers, etc.? Have you ever considered that question?—I have considered that subject a little, as well as other matters connected with it.

30613. What opinion have you arrived at in regard to it?—Since these manufactures have been recognized by law for a length of time, it would be reasonable that the parties should be compensated to some extent.

30614. Are there any suggestions you could make to the Commission from your experience in regard to amendments of the law concerning these matters?—No, I do not know of any recommendation I could make.

EBENEZER McCOLL, of Winnipeg, Superintendent of Indian Agencies, on being duly sworn, deposed as follows:—

*By Judge McDonald:*

30615. By whom are you appointed?—By the Dominion Government.

30616. How long have you held your present office?—I was Inspector of Indian Agencies from 1875 to 1877, and I have been Superintendent since 1883.

30617. How long have you resided in the province?—Since 1877.

30618. Are your duties confined to the province of Manitoba?—To the Manitoba Superintendency, which means Treaty No. 1 to 3 and 5, from Lake Superior to the western boundary of the province, and extending up into the North-west Territories.

30619. Do you take in part of Ontario?—That part of Algoma which lies near to Lake Superior.

30620. And what else?—From the border down to Cross Lake and English River as far as treaties are made with Indians, and north-west up the Saskatchewan River to Cumberland House, a distance of 200 miles.

30621. Do you take in Keewatin?—Yes, and the Treaty Indians of 1883.

30622. Roughly speaking, how many miles of boundary would that cover?—100 miles from east to west, and from 500 to 600 miles north to south.

30623. How long does it take you to get over that territory?—It depends, of course, on the weather, for it is chiefly winter travel. I suppose it would take between four and five months of the year.

30624. Are you brought largely into contact with the Indians during these travels?—Yes, I have travelled during fifteen years about 75,000 miles, principally by canoe, and I have visited every camp.

30625. On the occasion of your visit, is there a gathering of the Indians?—Yes, all the Indians on the reserve gather, and I hold my meeting with them, and examine their gardens and inspect their schools.

30626. Would you kindly state to the Commission the condition of the Indians, in so far as the use of intoxicating liquors is concerned?—No intoxicating liquors are ever used by them, outside the boundaries of civilization or of white settlements, and of course far north there are no settlements. The only places where liquors are used are around Selkirk and the city of Winnipeg, and around the reserves. There is a reserve at the junction of the Rosseau River and Red River, and along the Rainy River there

J. C. McRAE.

is considerable drinking, especially at the time of treaty payments. The reason that they are able to get the liquor is that there are disreputable men who cross over from the United States, and bring liquor with them. When they return across the river they are beyond our control. Within recent years the Dominion Government, however, sent there an excellent officer from Ottawa who has almost stamped out the sale of liquors at the time of the treaty payments. This year it has been reported that little or no drinking has been going on there.

30627. What mode is adopted to prevent the practice?—He is very vigilant, and goes from one band to another and arrests the offenders. Most of the dealers are Canadians who have gone across the line to escape the clutches of the law.

30628. They go into the United States?—They frequently go into Minnesota.

30629. If the Indians follow them they are able to obtain liquor?—Yes, and the Indians also obtain liquor at Rat Portage.

30630. Has not the traffic with the Indians during recent years been materially reduced?—Yes. I remember the time in Winnipeg when you could not go along in the city without seeing Indians in a state of intoxication, but they are now immediately arrested, and if they do not give information in respect to the parties from whom they obtained the liquor, they are imprisoned often for a long term. So many persons who have sold liquor to Indians have been severely punished that it is now difficult for them to obtain liquor, except through a second party. Of course, Half-breeds and white men can procure liquor and give it to Indians.

30631. As a result of your long experience, are there any suggestions you desire to make to the Commission?—Only as regards absolute abstinence. The Indians cannot take drink as do the white man, there is no half way with him. I may say that a law in regard to supplying liquor to Indians has been put in force by myself and by the agencies without fear or favour to any party.

30632. Can you make any suggestions to the Commission that would make the law more efficient?—Only that some officer should be appointed at different points, similar to the officer who has been appointed, and who has achieved such success at Rainy River. We try to appoint suitable men as constables in order to prosecute the cases, but in many instances they have proved absolute failures.

30633. Were they not in some cases under liquor influences?—They appeared to be under certain influences, because they dealt with the Indians, and perhaps the parties who supplied the liquor did not consider it advisable to inform on them. However, it has been a failure and that plan has not been successfully carried out; but I desire to repeat that the official from Ottawa has met with the greatest success. All the reports that have been received indicate the great difficulties that have been met with, and prove that unless officers are very energetic it is impossible to put down the drink trade. We have endeavoured to induce the United States Government to place an officer there but have not succeeded.

30634. Do you visit Rat Portage?—Yes, once a year.

30635. Has any length of time elapsed since you were there?—I have to visit all the Indians in the Lake of the Woods and Rainy Lake and Rainy River district. I do not stop there any length of time, because I have afterwards to go south and then north.

30636. Is Rat Portage under the license law of Ontario?—Yes.

30637. Are there many places where liquor is sold?—I cannot tell you exactly, but there is quite a number.

30638. Is your stay there often long enough to enable you to see whether the law is observed, and whether there is much drunkenness and disorderly conduct there?—I never see much disorderly conduct; there is considerable drunkenness at the time when lumbering is over and men come in from the camps. Of course you might be in Rat Portage and not see anything while you were there, but at certain times it is crowded with people, especially with labouring men connected with the mines and with lumbering.

30639. Do you reside in Winnipeg?—Yes.

30640. Did you come from Ontario?—I came here from the county of West Elgin, Ontario.

30640a. As a citizen of Winnipeg, have you observed the operation of the license law here?—I have paid very little attention to it, except so far as my own business as



Superintendent is concerned. When the Indians are camped down the river for several miles, they are supplied with liquor by disreputable parties who take it to them. Of course many of the Indians who camp round the city are not of the highest order, and are not to be taken as specimens of Indians such as are to be found on the reservations.

*By Rev. Dr. McLeod :*

30641. Do you find a marked change in the condition of the Indians?—I observe a gradual change. It is a marked change when you take a period of 15 years and make a comparison; but if you take the change from year to year, it is very slow and gradual, for they are very tenacious of their habits.

30641a. Then you have observed a steady change?—They are very tenacious of their habits.

30642. Do they adopt the habits of white men? You spoke about their gardens: are they beginning to take an interest in tilling the soil?—They take considerable interest where the land is fitted for cultivation; but in Treaties 3 to 5, that is from Rat Portage eastward to Lake Superior and away along English River and Winnipeg River and the north part of Lake Winnipeg and down Nelson River and the Saskatchewan, and north part of Lake Winnipegosis and Lake Manitoba, the land is so rocky that cultivation is almost impossible. The chief mode of subsistence by the Indians there is by fishing and hunting, and they pay but little attention to agriculture, beyond the cultivation of corn and potatoes, which are raised in those parts in considerable quantities. But where the reservations are suitable for cultivation, as is the case in some parts of the country, there is excellent cultivation carried on. At Long Plain, Swan Lake and Rosseau they have raised 5,000 bushels of wheat. At St. Peters, thousands of cattle and horses and other domestic animals have been raised, and where missions have been established the Indians have cattle and they are in a very comfortable condition.

30642a. In what condition do you find the young Indians?—We find them working on the railways and in saw-mills, even filling the position of head-sawyer, and in other employments, and I have no doubt whatever that their condition has been improved very much of late years.

30643. Do you find there is less inclination to drink among the young Indians than old Indians?—Some will not taste liquor if it is offered to them. At St. Peters the Chief will not taste a drop of liquor, nor will any member of his family.

30644. Is that due somewhat to the prohibitions that have been thrown around them and the fact that they have seen benefits arise from abstinence?—I think it is the influence of religion so far as they are concerned.

30645. I suppose the introduction of liquor among the Indians in any degree would hinder their progress toward civilization?—It would be fatal to all the efforts made by the Government towards their advancement because they would spend anything they could get on liquor.

30646. Do you find it possible to enforce the prohibitory law so far as Indians are concerned?—Yes; the violations are reduced to a minimum now. Many of the Indians do not know the taste of liquor.

30647. Do you think the use of liquor is greatly more injurious to Indians than the whites?—I most emphatically think so.

30648. Is it because of their semi-savage condition?—I think it has greater influence over them—the smallest quantity influences them. It is the same as regards tobacco. They cannot use it in any strength; they mix it with kinnick, for if they have it full strength, they cannot use it. They are very stolid up to a certain point, and then they go off at once without giving any indication of it. When I travelled round first, few of their huts were covered with anything more than bark and the large proportion of them wore blankets, which they obtained by trading with the Hudson Bay Company. On my trip this year I saw only two or three wearing blankets; almost all of them were better dressed than the average workingman in the country. Of course they are improvident and do not provide for the future; this is specially the case with hunting and fishing Indians. They will not have one day's rations ahead.

30649. Do you believe that the prohibition of liquor is not only beneficial to the Indians at present but that the effects of prohibition on the present Indians will be

EBENEZER MCCOLL.



seen in their descendants, in that they will be less troublesome to deal with! Probably so. Rum and tobacco were introduced by traders some years ago, but I believe the Hudson Bay Company put a stop to that trading altogether. Since that time the generation of Indians has passed away, and probably many of those who are old men now have never tasted liquor. Long ago it was rum which was obtained for their furs, but there is nothing of that sort now. Such trading is absolutely prohibited and no liquor is given to Indians. Of course, occasionally disreputable people go from the city and give them liquor in order to get their furs.

30650. How many years have elapsed since prohibition came to be enforced?—There has been no liquor among them at the outposts.

30651. I suppose until the Dominion adopted quite rigid measures there was more or less liquor distributed among the Indians?—It was not done by the Hudson Bay Company, but the liquor was obtained in the settlements. Adventurers came in who wanted to obtain the furs, and they took liquor with them when they went among the Indians. During the period I have been connected with the Indians, which extends over fifteen years, the Government has used every effort to put a stop to the distribution of liquor.

30652. No doubt during those fifteen years you have observed marked benefits to result?—Yes.

30653. Do you find from year to year that the benefits are more marked?—Certainly, as these people are becoming educated and civilized and the liquor is prohibited from being introduced at all on the reserves. If the law is violated in this respect the offenders are severely punished; we even fine hotel-keepers now, and they will not give a drop of liquor to Indians for fear of the consequences.

30654. You mean they dare not do so?—They do not do so because they are visited with severe punishments, the fines for these offences varying from \$50 to \$300 for each offence.

30655. Do you think the severity of the penalties prevents to a large degree, the sale of liquor to Indians?—Yes. The Indians could otherwise get liquor by paying twenty-five cents a glass for it, but the hotel-keepers will take a long time before they will be able to obtain sufficient profits to pay the fines.

30656. So really there are not only the Government regulations, enforced by yourself, but these severe penalties that are visited upon persons who sell to Indians, are a great help also?—Yes; we could hardly accomplish anything unless these penalties were imposed.

*By Judge McDonald:*

30657. You have spoken of religious influences being brought to bear on the Indians. Do you find the efforts of missionaries have been beneficial?—No doubt of it; that is the case, I may say, in regard to all missions wherever established.

30658. Their efforts are also directed to showing the Indians how to cultivate the soil by setting an example to them, and showing them how to cultivate a garden and raise domestic animals, and of course these missionaries are invariably opposed to alcoholic stimulants being introduced among the Indians?—No doubt that example has its influence and has been the means of helping to bring the Indians to their present condition—both those efforts and the efforts of the Hudson Bay Company and some of the other traders.

30659. Did you during your visits among the Indians for treaty purposes, have to travel through the North-west Territories?—Yes, from Grand Rapids up to Cumberland House.

30660. Was there a prohibition law in force during those days?—I think there was, and liquor could only be obtained under a permit from the Lieutenant-Governor of the North-west Territories.

30661. Do you think it was an easy matter to enforce prohibition among the white people there? They had liquor only in limited quantities. There were, however, practically no white settlements there. I am speaking only of the Saskatchewan district. Occasionally the principal traders might have a limited quantity of liquor for their own use, obtained under these permits or when they meet a friend. There was no drinking going on at the outposts, for they had no liquor there.

30662. So all classes of people were free from drunkenness?—Yes; although they had a quantity of liquor there, it was so small that they kept it for special occasions.

30663. How did the Government officers on the border succeed in preventing these people from bringing liquor across the border?—The Government officers did not prevent them from crossing the border, they caught them on their return. It must be remembered that liquor could be brought over from Rat Portage at the boundary line south of Winnipeg and at all points west. They stopped the importation of liquor at Fort Frances and that district.

30664. Have you had any knowledge of the smuggling of liquor across the border?—I have no personal knowledge, only I have heard from reports that certain parties have camped opposite the reserves here and there.

30665. Was that in connection with the sale of liquor to Indians?—Yes.

30666. Have you any further suggestions to make to the Commission?—None whatever, further than, if one or two officers were placed at different points, who were independent in their actions, their services would be of great advantage to the Indians. I think that is the best suggestion I can make in regard to this matter. The officer to whom I have referred is only a temporary one, but he has been there two years, and it would be desirable for the Government to appoint such an officer permanently between Rat Portage and Fort Frances.

HENRY A. COSTIGAN, of Winnipeg, Collector of Inland Revenue, on being duly sworn, deposed as follows:—

*By Judge McDonald:*

30666a. How long have you resided in Winnipeg?—Fourteen years.

30667. How long have you been Collector of Inland Revenue?—Six years.

30668. Did you come here originally from any other province?—I came here from New Brunswick.

30669. During the time you have been a citizen of Winnipeg, have you had occasion to observe the habits of the people?—Yes, fairly so.

30670. Do you find this to be a sober community?—I think its condition in that respect will compare favourably with that of communities in other cities.

30671. As much so as in the older sections of Canada with which you are acquainted?—I think so.

30672. Have you noticed a change in the social customs of the people in regard to the use of liquor; is there less drinking than formerly?—I think it has considerably decreased here within the last ten years.

30673. What are your duties in connection with your department?—Generally the collection of duties on Canadian manufactured goods coming here in bond, and the supervision of manufactories here.

30674. How many establishments are there here manufacturing liquors?—We have no distillery here, but we have breweries.

30675. How many have you?—There are seven breweries in the Province; three are located in Winnipeg, two in Portage la Prairie, one in Brandon and one in Minnedosa.

30676. You say there are no distilleries?—There are no distilleries.

30677. Have you any trouble with illicit distillation?—Occasionally we have cases of illicit distillation; the cases have been in a small way so far.

30678. What do the people use in making liquor?—In the last case we had, which was a few months ago, they used potatoes simply.

30679. We find in the Province of Quebec that molasses was used for distillation purposes?—In this case we found the people who made the whisky, used potatoes; they made a decoction from them.

EBENEZER MCCOLL.

30680. Have you had any opportunity of examining that spirit, or seeing it produced?—No; we did not find any spirits on the premises. Most of the cases of illicit distillation, however, are in the North-west Territories.

30681. Does your district extend so far?—It embraces the North-west Territories.

30682. Does it embrace not only Manitoba, but the North-west Territories?—Yes.

30683. Is the same kind of spirit made there?—No, it is manufactured from grain principally; sometimes syrup and molasses are used.

30684. Is it manufactured mainly for the people's own use, or for sale?—For sale generally.

30685. Is that illicit distillation increasing or decreasing?—It has not decreased I think. All the cases of illicit distillation we have in the Territories were before the new North-west Ordinance went into effect.

30686. Then that was when the prohibition law was in force, and when liquor could only be obtained by permit; and now that the license law has come into force, you think there has been a decrease in illicit distillation?—The license law has not yet been sufficiently long in force to enable me to give a definite opinion, or to draw a conclusion, but we have not found any case of illicit distillation since then. I do not say it follows as a result of the new license law.

30687. Have you any knowledge in regard to the smuggling of liquor from the United States into this country? What is your experience?—We work jointly with the Customs Department in regard to the matter. There is very little smuggling into the Province of Manitoba to my knowledge, but there has been a great deal into the North-west Territories, especially before the North-west Ordinance came into effect.

30688. In what section was most of the smuggling carried on, or was it carried on along the border generally?—It was carried on at Fort Macleod and Pincher Creek, and all along the boundary liquor came in.

30689. Was it brought in by Canadians or by people from the United States?—Generally by Canadians.

30690. You say that very little of that has occurred in Manitoba?—We have never had a case to our knowledge in Manitoba.

30691. What kind of liquors are mainly imported in bond?—The only spirits is what is known as rye whisky.

30692. Does it come from Ontario?—From Ontario principally, from Toronto and Walkerville.

30693. Do you get any from Prescott?—Yes.

30694. Those are, of course, the three principal distilleries in Ontario?—Yes, but we also get a large quantity of spirits from Waterloo.

30695. Do any liquors from Europe come through here in bond?—We would not have to deal with them; they would come under the Customs Department. Of course, large quantities of liquor come through the hands of the Customs.

30696. You have only to deal with liquors manufactured in Canada, I suppose?—Yes.

30697. Have you any statistics with you to show what quantities have been imported in bond for a series of years?—I can give you an idea of the quantities. I made a calculation for the year ending June 3rd, 1892, and I found during that year we collected duties on 125,947 gallons of proof spirit, that is of the strength of proof; in other words, that quantity was taken out of bond here, and the amount we collected was \$188,924. When I say "proof spirit" you may add about 20 per cent to that for standard gallons, for remember that we reckon everything on the basis of "proof," which is 100 per cent, and the ordinary spirits as consumed are 25 per cent or so. This calculation has to be made in order to get an idea of the standard gallons.

30698. Is that spirit for use in Manitoba and the North-west Territories?—Yes.

30699. When did the new License Law come into force?—I think on May 1st of last year.

30700. So for one month liquor might be sold lawfully in the North-west Territories?—There was a great deal of liquor used in the Territories under the permits.



30701. Who would take that quantity of liquor out of bond?—The different wholesale liquor men here in Winnipeg. They hold bonding warehouse licenses here, and they take out the spirit as they require it.

30702. That quantity is really what is taken out for consumption?—Yes. I have here a memorandum of the number of gallons of beer produced during the same period. I think the quantity was 447,709 gallons.

30703. That was the output of the seven breweries in the Province of Manitoba, I suppose?—Yes. 1,460,964 lbs. of malt was used in producing the same, which paid a duty of \$29,219.

30704. Can you give a statement of spirits of Canadian manufacture taken out for consumption at the Winnipeg Excise Office during four or five years?—Yes. The statement is as follows:—

	Proof gallons.	Duty.
30th June, 1888.....	66,571·37	\$ 86,542 66
do 1889.....	99,278·72	119,970 62
do 1890.....	101,411·81	131,838 64
do 1891.....	104,768·67	136,462 73
do 1892.....	125,947·43	188,924 98

During this year (1892) the duty was increased from \$1.30 to \$1.50 per proof gallon.

30705. As a citizen, have you any reason to suppose that liquors are tampered with after they leave the hands of the wholesale dealers?—We make regular analyses of liquors; in fact, we make analyses of foods and drinks generally and other articles. We have never had a case of tampering with liquors.

30706. Where are these analyses made?—Here in Winnipeg.

30707. Who is the local analyst?—Professor Kenricks.

30708. Then no analyses have been submitted to you showing any adulteration?—We have never found any adulteration which it was necessary to prevent, that is adulteration injurious to health.

30709. Has there been a standard fixed as regards the purity of liquors?—No; there has been no standard established. You have asked as to whether any compounding goes on here. I may say there is a firm of licensed compounders in this city.

30710. Who are they?—There is only one firm, Ferrier, Rosenberg & Co.

30711. Have they a Government license for compounding?—Yes. They are allowed to put up liquors in imitation of foreign goods on branding them as such.

30712. Are there any suggestions you desire to make to the Commission, from your official experience, in respect to the liquor question?—I think if the present law were thoroughly enforced, it would be a good law.

30713. Have you had any experience of the working of a prohibitory enactment?—I have been able to watch the results to some extent in the North-west Territories and here.

30714. You have travelled through the country?—Yes.

30715. Did you find prohibition prohibit?—No, very far from it.

30716. Do the people seem to obtain liquor?—Yes. I think the consumption by the people now is not any greater than it was before they had the license system. It is my candid opinion, however, that drinking is less spasmodic.

30717. You have spoken of the large amount of smuggling that has prevailed in the North-west Territories as found by the Government Departments. Supposing a prohibitory law was passed for the country as a whole, what, in your opinion, would be the result of that law?—I think it would result in considerably more smuggling taking place.

30718. Do you think there is much smuggling now in Manitoba?—Well, there is a good deal now in Manitoba and the North-west Territories; but the inducements for smuggling are not so great in Manitoba.

30719. Do you think with a prohibitory law in force, you would find Manitoba fall into line with what you find to be the state of affairs now in the North-west Territories?—Yes, it appears to me that would follow.

HENRY A. COSTIGAN.



30720. Did you observe in travelling through the North-west Territories the kind of liquors used there?—To what time do you refer.

30721. I refer to the time when the prohibitory enactment was in force?—There was some of the very best liquor there, and also some very poor whisky; the liquors generally were poor.

*By Rev. Dr. McLeod :*

30721a. You have spoken in regard to illicit stills in the North-west Territories; I suppose you have made seizures there from time to time?—Yes.

30722. Have you made many seizures: was much liquor seized?—There have been six or seven seizures made in the Territories within my time. There was not much liquor seized, as the parties had usually sold out; in fact, they sell it nearly as fast as they make it.

30723. Has there been a vigorous attempt made to shut up these illicit places?—Yes, there was a vigorous attempt made on our part. The country, of course, is very vast in extent, and it is a pretty difficult matter to reach the parties.

30724. Speaking in regard to the prohibitory law there: do you think the permit system was so used that it really destroyed the prohibitory law?—In my opinion it is pretty difficult to administer the permit law as it should be administered. What I mean is this: all the applications come to headquarters at Regina, and perhaps there may be two or three hundred in the morning lying before the Governor there, and I do not believe he had the proper means at hand to find out whether the applicants were eligible to receive permits; he simply issued permits when asked for them. He had no means of discriminating.

30725. Do you mean that he issued them indiscriminately?—Of course the applications had to be endorsed by some responsible citizen who was known at Regina, but that endorsement was generally forthcoming when asked for.

30726. Do you think the Governor never made any attempt to ascertain whether the permits were really required?—I have no doubt he did all he could to see that no permits were issued except to proper parties; but what I say is, that he had not the means of properly ascertaining whether the parties were eligible or not.

30727. You think he had simply to grant the permits asked from him?—In most cases I think he had to do so.

30728. Do you think that a strict check on the permit system would have been more effective?—It might have been so.

30729. Do you think that notwithstanding the permit system, prohibition was in any degree effective in the North-west Territories?—There may have been slightly less spirits consumed then than are now used.

30730. Would there be the same smuggling then as now?—Yes.

30731. Do you think there is very little now?—There is very little, and I have not heard of any cases recently.

30732. I suppose there is scarcely any necessity for smuggling in the North-west now, because the permit system has been abolished?—Yes.

30733. Is there any smuggling in Manitoba?—I do not think so.

30734. Are the Mounted Police stationed anywhere in Manitoba to prevent smuggling?—Yes. They are stationed along the boundary, but I do not think they are there especially to prevent the smuggling of whisky or spirits.

30735. You think there is not sufficient inducement for smuggling now?—Quite so.

30736. Have you any idea of the consumption of spirits in the North-west prior to the abolition of prohibition?—No, I could not give you any idea as to what quantity entered the North-west Territories.

30737. Was it a considerable quantity?—The exact figures could be obtained only from the dealers. Of course, we lose sight of the liquors after they leave the warehouse.

EDWARD BARNETT NIXON, of Winnipeg, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

30738. What is your occupation?—I am manager of the grocery and liquor departments of the Hudson Bay Company at Winnipeg.

30739. How long have you resided in the city?—Since 1882.

30740. How long have you held your present position?—Since 1886.

30741. Did you come here from one of the other provinces?—I came here from Montreal.

30742. Then you have been a citizen of Winnipeg since 1882?—I was absent for two years and a half.

30743. During the time you have been a resident of this city, have you had any opportunity of forming an opinion as to the character of the people?—Yes.

30744. How do you find this community as regards sobriety and good conduct?—I think better than the average.

30745. Have you noticed as a citizen how the laws appear to be enforced as to Sunday sale of liquor and orderly conduct on Sunday?—I think Sunday is kept in a very orderly manner in Winnipeg, in fact more so than in any other city in which I have ever lived.

30746. How long did you live in Montreal?—I lived there over ten years.

30747. I understood you to say that you are manager of the grocery and liquor departments of the Hudson Bay Company.—Yes.

30748. In what way do they deal in liquor?—The departments are entirely separate, but both come under the control of the Company.

30748a. Do the Company sell liquor at their stores?—Yes.

30749. Do they sell liquor elsewhere than in Winnipeg; at what other points?—In Manitoba, at Deloraine, Minnedosa, Morden, and also Fort Garry; and in the North-west Territories at Prince Albert, Edmonton, Battleford, Calgary, Macleod, Battle Creek and Lethbridge.

30750. I believe Macleod and Battle Creek are both near the boundary?—Yes.

30751. And you have also stores at Battleford, Prince Albert and Edmonton, north, I believe?—Yes.

30752. How long have sales been carried on at these places in the Territories?—Only since the license system went into effect in the North-west Territories.

30753. I suppose the Company sold groceries there before that time?—Yes, the Company sold general stores, with the exception of liquor.

30754. In those places is the sale of liquor connected with the sale of groceries?—It is separate in the North-west Territories.

30755. Has it taken place in a separate store?—Yes, in Manitoba at Morden and Deloraine the Company are allowed to keep the liquor in the store, the same as in old times it was allowed to be sold in the east.

30756. How long is it since the change was made in the law here?—I think about four years.

30757. Do you consider that change in the law is a beneficial one for the community, or have you had any reason to form an opinion on that matter?—We have not noticed any appreciable difference.

30758. Evidence has been given, notably in Montreal, that where groceries and liquor are sold together, women and others, who would not enter a store to buy liquor, would go and obtain groceries and buy liquor at the same time?—I do not think there has been any difference with us in that regard. It might have made a difference to some dealers who were in the habit of selling liquor with their groceries, but I do not think that made any difference with our trade.

30759. Are you able to state as to whether your sales of liquor continue about the same volume year after year, or whether they increase or diminish?—Do you mean our retail trade?

EDWARD BARNETT NIXON.

30760. Yes.—It continues about the same. Our sales increased rapidly until licenses were granted in the North-west Territories, but our sales here have decreased with the opening up of stores throughout the country.

30761. How do you account for that?—It is owing to the fact that permits were not sent down here to be filled.

30762. Do these permits call for the same quantities, or do the quantities vary?—The quantity varies.

30763. Did the kind of liquor vary?—Yes.

30764. Were some permits for whisky and for wines, ales, etc.?—Yes.

30765. Have you travelled through the North-west Territories at all?—Yes.

30766. Did you travel through the country during the time the prohibitory enactment was in force?—Yes.

30767. When did the change from prohibition to license take place?—On June 1st last.

30768. Have you been there since?—Not since that time.

30769. During the time prohibition was in force did you notice the kind and quality of liquor that was sold among the people?—No; I did not.

30770. In your opinion, was liquor obtained there of the same quality as is sold here?—Yes.

30771. Have you any knowledge as to whether smuggling prevailed to any great extent there?—I believe it did.

30772. Is your opinion formed from hearsay or from individual knowledge?—From hearsay.

30773. Not from personal observation?—No; I can hardly say that.

30774. You mean that smuggling was generally believed to prevail?—Yes; it was pretty generally believed to prevail.

30775. Did you ever live where a prohibitory law was in force?—No.

30776. Have you formed an opinion on the subject of prohibition from the experience you had in the North-west? Do you think such a measure could be enforced if adopted?—Do you mean in the Province of Manitoba?

30777. Yes.—I think it would be difficult to enforce prohibition in the Province of Manitoba.

30778. In what way would difficulties arise?—From smuggling.

30779. I understand that you cannot give evidence to the Commission as to whether liquors of a deleterious character were sold in the North-west Territories while the prohibitory law was in force?—I have heard that there was, but I never saw any myself.

30780. Have you any suggestions to offer to the Commission in regard to the liquor traffic or in regard to any alterations in the law?—No; I think the law is a good one.

30781. Have you formed any opinion as to whether the imposition of larger license fees is productive of good results?—I think the license fees are heavy enough.

30782. What is the license fee now?—\$425 for a wholesale license.

30783. Has your company a wholesale license?—We have a shop license.

30784. Under such a license, liquor cannot be drunk on the premises, I believe?—Yes, in addition to the license fee, we have to pay small fees, one of which amounts to \$10.

*By Rev. Dr. McLeod :*

30785. Did I understand you to say that your liquor business has increased latterly?—Yes.

30786. To what do you attribute that increase?—To push on the part of the Hudson Bay Company.

30787. I wonder whether you attribute the increase to that, or to your belief that the drinking habits of the people had increased?—I do not attribute it to that at all, but to the fact that the Hudson Bay Company are endeavouring to do more business.

30788. To the fact that they are pushing the liquor branch of their trade?—Yes.

30789. That they are trying to sell the largest possible quantities, as they do, I suppose, in regard to groceries and dry goods and other goods?—Yes.

30790. I think you have stated that this is a very orderly city?—Yes.

30791. Do you think the drinking habits of the people, not only in Winnipeg, but throughout the regions covered by your company have decreased and not increased?—I do not think they have increased.

30792. Do you think the push displayed by your company will have a tendency to increase the sale of liquor?—I think the increase of population will cover the increase in the sale of liquor.

30793. Do you think it would be well to limit the number of licenses issued or to increase the number?—Do you mean in this province?

30794. Take the country at large?—I think there is a limit in Winnipeg.

30795. You think there is a limit here? Do you think it is well to have the number limited?—Yes.

30796. Why?—Because in this way the trade is placed in the hands of more respectable men.

30797. Would you limit the number of people selling—ordinary merchants?—I think you could hardly do that.

30798. Why not?—Is there a difference between the liquor trade and ordinary business?—There is to a certain extent.

30799. Give the Commission your view on this point?—I think there is more chance of dishonest dealing in the liquor business than in any other business, and I think there are also more chances of dishonesty.

30800. Please explain.—I am referring to the adulteration of liquors.

30801. There are chances of dishonesty in that one man will sell only pure liquor while others will adulterate it?—Yes.

30802. Do you think that the tendency to adulterate is very marked?—I do not think it is so here now.

30803. You think it is well to limit the number of persons selling liquor, taking the country at large?—Yes.

30804. And your reason is because there is a chance to adulterate there is dishonesty in the trade?—That is the only reason.

30805. Is it because of the effects of the trade?—No.

30806. The Commissioners are charged with the duty of inquiring into the effects of the trade. Do you think there is anything in the character of the trade that makes it a wise provision to limit the number of persons engaged in the trade, in other words, to check the ramifications of the trade?—That is a pretty hard question to answer.

30806a. Did I understand you to say that there was no liquor sold in your stores in the North-west during the prohibition period?—No.

30807. No liquor was sold by you at all? No.

30808. You have said you think it would be difficult to enforce prohibition in Manitoba. Why?—I think it would lead to smuggling.

30809. And you think that is a thing to be dreaded?—Yes, I do.

30810. Is there smuggling on a considerable scale in Manitoba outside of the liquor trade?—Not that I know of.

30811. The Commissioners have been informed that smuggling is taking place in other parts of the Dominion, especially in the St. Lawrence and along the coast?—Not here.

30812. I suppose in the border regions there will be more or less smuggling of ordinary goods. Are there preventive officers stationed along the border?—Yes.

30813. Are they stationed there to prevent smuggling?—Yes.

30814. As there is danger of smuggling, or preventive officers would not be stationed there, it is perhaps fair to assume that there might be considerable evasion, more or less, of the law, and that the chief danger as regards smuggling would arise after prohibition was enacted in Manitoba? Yes, there would be smuggling by unprincipled dealers. Of course if prohibition was enforced, every person who dealt in liquor would be a violator of the law.

30815. And only unscrupulous people would engage in the business, although we have been told in Manitoba that all the men in the trade or most of them at all events

EDWARD BARNETT NIXON.



would become smugglers if there was prohibition enacted ; but of course those may have been rather sweeping statements. I believe that the people of Manitoba have expressed themselves very strongly in favour of prohibition. Do you think the recent vote fairly expresses the opinion of the people ?—I think the plebiscite was sandwiched in with politics.

30816. So you think that the view expressed is not that of the people of the province ?—I do not think, if the people were to vote again, the resolution in favour of the plebiscite would carry, irrespective of politics.

30817. Is that the general opinion ?—That is my own.

30818. Do you believe or do you not believe that the expression of public opinion in regard to that plebiscite indicates that the feeling in Manitoba would back up and would insist upon the enforcement of a prohibitory law ? If such a law were to be enacted, do you think the people would be indifferent ? Do you think that expression of opinion indicated that if a prohibitory law were to be enacted, the people would stand by it and insist on its enforcement, or that they would be indifferent as to its enforcement ?—That is a hard question for me to answer ; I would not like to say.

30819. You do not believe in prohibition yourself ?—I do not.

30820. As a business man and as the manager of the liquor department of the Hudson Bay Company, I suppose you look after the grocery as well as the liquor business ?—Yes.

30821. Do you believe that the prohibition of the liquor traffic would injure business generally, I mean outside of the liquor business ?—I think it would indirectly.

30822. In what way ?—It would throw a great many people out of work, and it would also depreciate the value of property.

30823. You mean it would throw out of work those employed in the liquor business ?—Yes.

30824. And in what way do you think it would depreciate the value of property ?—It would depreciate the value of property now used for the business, hotels and stores.

30825. Do you think the property now used as hotel property would be rendered useless if the liquor business was abolished ?—Probably it would not be rendered useless.

30826. You mean it would be rendered less valuable ?—Yes.

30827. Do you think the people now employed in the liquor business would be left without employment of any kind if the business was abolished ?—Probably not all.

30828. Do you think that after a man had employment in one kind of business he would find employment in another ?—Probably so, but not such profitable employment.

30829. Some people have held this opinion, that the liquor business instead of being a benefit to the general business of the country, is an injury to ordinary business, in that it takes away from the volume of money that would certainly flow through other business channels and give employment to the people in a manner that would be more profitable to them. Have you given sufficient thought to this point to enable you to give an opinion on it ?—No.

30830. In pushing the business of the Hudson Bay Company, you have not, I suppose, given thought to that side of it ?—No.

*By Judge McDonald :*

30831. Have you had any experience, except in the North-west Territories, in regard to prohibitory legislation ?—Do you mean in towns ?

30832. Yes ?—Yes, at Richmond in the Province of Quebec.

30833. Have you ever been in Maine ?—No.

30834. How did you find matters in Richmond ?—The Dunkin Act or the Scott Act was in force there, and I found that liquor was used very unsparingly there.

*By Rev. Dr. McLeod :*

30835. How long ago is it since you were in Richmond ?—I was there in 1878 and 1879.

30836. There has been opportunity for improvement since then, I suppose ?—Yes, and there was room for it.

*By Judge McDonald :*

30837. In the case of a prohibitory enactment being passed, could you form an opinion as to the propriety of making remuneration to those engaged in the manufacture of liquor, on account of injuries done to their property?—No, that is a little beyond me; that is a heavy question to consider.

RICHARD LATOUCHE TUPPER, of Selkirk, Manitoba, on being duly sworn, deposed as follows:—

*By Judge McDonald :*

30838. What is your position or occupation?—I am Fishery Officer for the Dominion Government.

30839. How far is Selkirk from Winnipeg?—Twenty-four miles.

30840. How long have you resided in Selkirk?—I have just moved there; I lived in Winnipeg.

30841. How long have you lived in Winnipeg?—Winnipeg has been my headquarters since 1878.

30842. Before that time where did you live?—In the County of Victoria, Ontario.

30843. How long have you held your present position?—Since last June.

30844. Did you hold any official position before that?—Yes, I was Chief License Inspector for the Province under the McCarthy Act until it was declared *ultra vires*. I was the author of the Manitoba Act, which has been repealed since.

30845. Then you are able to speak with considerable knowledge as to the working of the Act. Can you state briefly and generally in what particulars the Act differed from the one at present in force?—No. I have not thought of the changes, but they are slight. There are very few changes from the Act as passed after the McCarthy Act went out of operation.

30846. How did you find the McCarthy Act to work?—I found it to work very well, for the reason that it placed the licensed houses on a business basis. Before that time under the old Act, we had too many houses licensed here to do the business, and things were running loose to a certain extent. The McCarthy Act was a very beneficial Act for the Province.

30847. Did it appear to be satisfactory to the people as a whole?—Yes.

30848. Did you, as Inspector, find it a workable Act?—Yes.

30849. How did you find the state of affairs in regard to the observance of the Provincial Law while you were Inspector there? As to Sunday observance: did you have anything to do with that?—I had to do with the general working of the Act, and I found the Sunday provision was observed fairly well.

30850. Then as to the sale of liquor to minors: had you any trouble in regard to that matter?—I do not think during the whole time I was Inspector, I had one case of complaint with respect to the sale of liquor to minors. I was particularly severe with hotel-keepers and I allowed them to understand—as I knew every hotel-keeper in Manitoba—that I would be particularly severe on that point, and I cannot recollect any complaint of violation of the provisions in regard to sale to minors.

30851. Had you any experience in the working of the laws as regards allowing the sale of liquor with groceries, or did you make provision for their separate sale?—I recommend strongly that the sale should be kept separate.

30852. Do you think as a result of your experience, it is desirable that the sale of groceries and liquor should be kept separate?—Yes. I think the sale of liquor should be kept altogether separate from that of groceries.

30853. It has been stated that where the sale of liquor was combined with the sale of groceries, greater temptation was offered to women to purchase liquor, and it was

EDWARD BARNETT NIXON.

pointed out that women who would not think of going into saloons, would go into groceries and purchase liquor?—I do not know whether they would buy or not, but it might be charged in other ways in the account, and it would be impossible to tell whether the charge was for groceries or for liquor.

30854. Had you any reason to suppose that liquors were adulterated at all during the time you were Inspector?—I am a druggist and chemist also, and I can tell pretty well in regard to liquor. I take liquor myself and I know its quality pretty well, and I do not know of any adulteration being practised in Manitoba except in regard to watering the liquor. I do not know of any injurious adulteration having taken place, and the reduction of its strength by water is of course dilution.

30855. It has been stated that in some parts of the country, tobacco, bluestone and other articles are mixed with liquor to give it a fiery character?—That was done frequently in the North-west Territories.

30856. You have never known it done in Manitoba, under the license law, I suppose?—No.

30857. Were you troubled with illicit stills when you were Inspector?—Not after we drove out the illicit dealers. When the Manitoba Act went into force, we were very severe in regard to illicit sellers, and we fined them so heavily that it did not pay them to continue the business. There have been very few carrying on unlicensed sales since the new Act came into force; in fact, since the McCarthy Act came into force, there has been very little unlicensed sale.

30858. So that when the people settled down under the administration of the law and became an older community, you would expect that cases of illicit sale would become less and less frequent?—I do not know that such would be the case. I know the Province pretty well, and the illicit sales taking place are of very small proportions. It is simply a matter of watching vigilantly in order to prevent illicit sales taking place.

30859. There was evidence given before the Commission this morning in this city, I believe by the Police Magistrate or by the Chief of Police, that billiard rooms and pool rooms are only licensed in connection with restaurants?—I do not think there were any licenses in connection with the sale of liquor.

30860. Were there any persons keeping small billiard and pool rooms who were licensed? Were they in connection with hotels or restaurants licensed to sell liquor?—I cannot remember, but most of the hotels and saloons had billiard and pool tables.

30861. Do you know of any licenses granted to sell liquor in pool and billiard rooms since you ceased to be Inspector?—I do not know of such cases.

30862. I understand you have resided in Winnipeg. How have you found the city as regards sobriety?—I have visited the cities in the east and have also travelled in various parts of the United States as well as Canada, and I think Winnipeg will compare favourably with any city, and is ahead of most of them.

30863. Have you considered the question of the treatment of the persistent drunkard? We find in many sections of the country that there are unfortunate people with whom it is an almost constant procession from the police court to the jail, and then from the jail to the saloon and back to the police court, and that this procession is kept up the year round. Are there any such cases in this city?—We have some such cases here, and I would place the parties in the same category as lunatics.

30864. Should they be treated as though they needed to be kept under restraint?—Yes; I believe in that treatment.

30865. Do you think any reformation is effected by sending them to prison for a short term?—No.

30866. Have you ever known any man to be reclaimed from drunkenness by that treatment?—No.

30867. Have you noticed the effect of the liquor traffic on the community as a whole; whether it is beneficial or the reverse as regards family life, business interests and so on?—That is a pretty hard question to answer; that is as to whether doing away with the sale would benefit the community.

30868. I am speaking of the effect of the liquor traffic, whether the effect is good or evil on the community. Have you paid much attention to that matter?—I could not answer that question.

30869. Have you noticed the effect in travelling round, as I understand you have travelled a good deal through the country?—Yes.

30870. Have you found that there has been during the last fifteen or twenty years a change in the social habits of the people, by which a smaller quantity of liquor is consumed by the people than was formerly the case?—I think the social habits have improved, for the reason that, on account of cheaper transportation, a better class of liquor is obtained and the people are able to get better liquor than formerly. I travelled from here to Edmonton and the Peace River country long before the railroad came in here. I walked from Ottawa River to the Rocky Mountains, with the exception of 137 miles, and I constantly visited the Hudson Bay posts and other posts, and at some places I drank brandy and whisky. Now in Manitoba you can get light beverages, and of course there is less drunkenness than there was before; although there may be more liquor drank there is less drunkenness, and the people have improved under the change.

30871. As a traveller, looking back at your experience in Ontario and in this western country, do you think there is less drinking now than there was formerly? Do you observe in the hotels and smaller places fewer people taking liquor, and also that less liquor is taken at table than in olden times?—Yes, there is much less drinking at table than formerly.

30872. Have you noticed whether there is as much of what is called treating in this part of the world as formerly?—It is quite common.

30873. Supposing that hotel, saloon or restaurant had to be done away with, one or the other, by legislation, which, in the interest of the community, would it be better to dispense with, the hotel or the restaurant?—I should say, keep the hotel; but I think some restaurants are necessary in a city. The reason I provided in the Act for a few restaurants, was because any good restaurants in a city like Winnipeg lose money as a rule in the dining-room, and yet some restaurants are necessary, especially for a certain class of inhabitants who are bachelors and live in rooms. A great many gentlemen live in rooms and go to restaurants for board, and in order that the restaurant table may be kept up, it is necessary that there should only be a limited number. I believe a few restaurants are necessary. That has been my experience.

30874. Do you think the proprietors could not maintain the restaurants without being allowed to sell liquor there, or is it because they charge too little?—They would otherwise have to increase the price of meals.

30875. Then the profit they make on the sale of drink enables them to furnish meals at a lower price than otherwise would be the case?—Yes, because there is liquor at the table.

30876. Do not quite a large number of people visit restaurants who do not take any liquor at all, and do not such persons pay less than they should do for their meals?

—Not less than they should pay, but less than the proprietor can afford to supply them at. I know many total abstainers who take their meals in restaurants and also take meals in hotels.

30877. Then owing to other people drinking liquor, the total abstainers are able to obtain their meals at a cheaper rate?—Yes.

*By Rev. Dr. McLeod:*

30878. Then the total abstainer does not pay for what he gets in food?—Yes, that is my experience. That was the reason why I recommended the Government to grant seven restaurant licenses in the city, and I spread them over different parts of the city so that persons living in different sections could reach them easily.

*By Judge McDonald:*

30879. Have you had any experience in regard to the use of light wines and ales and the effect they have on people?—In what way do you mean?

30879a. You are well aware no doubt that in European countries they are generally used, and some people recommend their use in this country. It is contended by some, that if our people would use wines and ales and get rid of stronger liquors, the change

RICHARD LATOUCHE TUPPER.



would be promotive of temperance?—I have read the matter up and have noticed that the temperature of the climate has a great deal to do with the character of the liquor the people drink. In Italy the people drink light wines, but as you go north you find the people drinking spirits, and in the northern regions the people always want strong liquors. I believe, if more beer and light wines were drank, our people would be better.

30880. You think, then, that the question of climate has an important influence?—I am satisfied that if our people would drink more largely Canadian or California light wine, it would be better for them, and I am satisfied moreover that thousands of people who drink these wines now would, if they did not drink them, drink strong liquors.

30881. You have spoken of light liquors being used now, which was not formerly the case. Are there any other beers or light drinks that are used? The Commission have heard of Weiss, hop and Schenck beer and birch beer, all of which contain a very small percentage of alcohol. Do you know whether such drinks are obtaining any hold among the people?—I have not heard of that.

30882. Are you aware that lager beer is largely used?—Yes; that is of the strength of about 4 per cent.

30883. Have you had any experience in other places than Manitoba, where there has been a prohibitory law in force?—In Iowa and Nebraska, and I have also visited some of the New England States.

30884. State to the Commission your experience in Iowa? I stopped in Sioux City over night, and I asked the proprietor of the hotel where I was staying, where the bar was. He said he had no bar. I may say that this was a very fine hotel, worth not less than \$200,000, I was tired after my journey, and I wanted to get something to drink. He said that he had nothing to drink and that it was a prohibition State. Just across from the city is Nebraska, and of course I did not know what was the state of affairs there; he, however, said that there were no bars there. I then said that I thought this was a country of liberty. He asked where I came from, and I said Manitoba; and he inquired about two or three people in Manitoba. He then told me to go to the doctor and get a prescription, and that would last me as long as I was in the city, and I could always get it filled at the drug store. I asked him as to the law, and he said the hotel-keeper had been fined once or twice, but some people had hotels and saloons. These hotels, I may say, were buildings that could be removed from one vacant lot to another, and when the proprietor was fined one month, he moved the hotel to another lot, and under the law he could only be fined once a month. As a matter of curiosity I went round and asked for whisky in seven places and got it, then I went to the doctor and got the prescription, in order to try the drug stores. Of course at the drug store there was no trouble.

30885. Was the liquor furnished?—The doctor took me in and wrote: "Spiritus Vin. Rectificat. two ounces," and I got it. I paid for it, and of course it had the effect of being a permanent license to myself as long as I remained in the city. The prescription was not taken from me.

30886. Would it be filled by any druggist?—The next time I went there I stopped at the hotel. They did not sell liquor there. It was Sunday. I waited to see the effect of the law there, and I observed dozens of people at the front door of a drug store. That was my experience there in one day, and I saw many people waiting their turn to go in. In Nebraska they have a high license law in force, the charge for a license being \$1,000 a year. I may say I was there for immigration purposes. Except in Omaha, no licenses are issued to hotels and the saloons are separate.

30887. What do you say was the amount of the saloon license there?—\$1,000. The hotels were all around, but were without licenses.

30888. Had you no means of testing how the law worked?—It worked very well. I went to two or three hotels and asked for liquor. They said they did not sell liquor, but that I could send out and get it.

30889. Did they charge higher prices in the hotels for liquor?—No; I do not think so. I did not send for it, but other parties did so; they sent for a pitcher of beer or a bottle of whisky.

30890. Referring to the North-west Territories : what has been your experience there ?—I have been all through the North-west Territories since 1878.

30891. What did you see there ?—I never found very much difficulty in getting liquor there.

30892. What was the quality of the liquor you obtained ?—It was very poor sometimes, and very good at other times.

30893. What would be the quality obtained in the locality ?—Those parties who got the liquor in by permits obtained it from Winnipeg, say from the Hudson Bay Company, often from dealers in the towns east, and of course they obtained good liquor. If a man could not obtain very good liquor, he would get a permit for two gallons of alcohol and reduce it with water ; but there was no such thing as getting beer in, of course. Everybody would get in strong liquor because they could obtain two gallons of alcohol on the permit, and by reducing it, make it last as long as possible. Of course the people drank a good deal of pain-killer.

30894. Was the alcohol diluted with water after it was brought in ?—That I could not say. Of course, they diluted it before they drank it. Traders and dealers would get hold of some permits, and they would obtain alcohol and dilute it and fix it up with tobacco. During the rebellion I was Quartermaster of the 91st Regiment and brought down six or eight prisoners, who were afterwards hanged at Regina for being engaged in the rebellion. We crossed Battle River at Battleford and left Colonel Smith with his regiment. We met a trader coming in from Winnipeg with whom I was already acquainted, and he had a trading outfit with him. I saw the man had twelve barrels, and I asked him if there was liquor in them. He admitted that such was the case, and he said he would make a lot of money out of the liquor. I had not tasted liquor for two months, having been away north on the campaign. After taking some of this liquor, I went to sleep. The trader sold out this liquor and then skipped. That is the way they manufacture liquor up there. There was an inducement to make a profit out of the sale, and there was no control exercised over it.

30895. You have mentioned in regard to pain-killer being used ?—The people drank pain-killer all over the country and subsequently the sale of it had to be stopped, and it could only be sold by permit.

30896. Would they drink pain-killer indiscriminately ?—Yes. I may mention one case that I remember. It was that of a Hudson Bay man on the Saskatchewan, who drank six or seven bottles a day of Perry Davis's pain-killer.

30897. Taking your experience in all these relations, the experience of one who has become acquainted with the different systems of dealing with the liquor traffic, do you consider it advisable that a prohibitory law, a law prohibiting the importation, manufacture and sale for beverage purposes, should be passed for this Dominion ?—I do not.

30898. Do you think such a law would be practicable of enforcement ?—I believe such a law would be desirable, if it were practicable, but I do not believe it to be practicable. I believe it would be the means of giving us worse liquor and more crime in every way, and it would not prohibit. I do not believe it is possible of enforcement. Smuggling and illicit manufacture would go on, particularly in the North-west country, and the people would resort to other methods of obtaining liquor. Smuggled liquor would take the place of the present supply.

30899. Supposing such a law were passed, would you consider it right and just that the brewers and distillers should receive remuneration ?—Most decidedly.

30900. Are there any suggestions you desire to make to the Commission in regard to the liquor traffic, as to its control or management ?—No. In framing the law, I felt that a great responsibility was cast upon me by the Province, and before framing it I consulted the Acts of the different Provinces of Canada, and also Acts passed in the United States. I made a study of the question for some time, and I endeavoured to ascertain the effect of legislation in those places. After I had completed the task, I considered that the Act was as good an one as I could make it, and a very fair one ; one that did not interfere with the liberty of the subject, and yet controlled the sale. The number of licenses was reduced from 84 to 52. I did away with all music in the saloons ; that is with the Italian string bands, and I also abolished dice throwing and all games

RICHARD LATOUCHE TUPPER.

of the kind. At the same time my object was, from what I had seen in Toronto as to the good effect of the seven o'clock closing on Saturday night, to secure a like provision. I wished to allow a temperate man to take his glass, and not interfere with his liberty to such an extent that he would take a bottle of liquor home with him. This city is as well conducted and as quiet, in my opinion, as any on the continent. The liquor law requires to be enforced closely, and everything requires to be done honestly and above board. I think an hotel-keeper will always object to drinking men being around his place, and will not give liquor to such men unless it is proper that they should obtain it.

*By Rev. Dr. McLeod :*

30901. Were there more licensed places under the McCarthy Act in Winnipeg than there are under the present Act?—I think under the McCarthy Act there were two or three less. I reduced the number from 84 to 52, and I think the number is now about 54.

30902. Then I understand that you believe in limiting the number of licenses?—Yes, to the extent of providing the accommodation that people require. At the same time that I reduced the number of licenses, I raised the number of rooms that an hotel required to possess in order to obtain a license; I shut off all other places selling liquor, except the seven restaurants of which I have spoken, and I repeat that I raised the number of rooms that each hotel-keeper had to keep, furnished for the accommodation of the public. Of course we had to look after travellers.

30903. Then the hotel-keeper had to provide a certain number of rooms as a qualification?—Yes, he has to do so now.

30904. Why do you think it well to limit the number of places selling liquor; what is the use of such a restriction?—The benefit is this: if you license only a proper number, you allow the hotel-keeper an opportunity of making an honest living and at the same time observing the law, and in that way you obtain more respectable men in the business. A man with a thousand dollars may open an hotel, but the number is limited, and of course the number includes the best men.

30905. Would it not be well to allow sellers of liquor to open places indiscriminately and compete with each other, as do men in other lines of business, and if they are unable to compete, go to the wall, while those who push business succeed?—No, I do not think so, because then there is an inducement offered to sell liquor to drunken men and keep open after hours, to have gambling in the place and so on. Of course this is a particular business, and one different from any other business. You may get men in it who will deprive a man of his last dollar and who will violate the law to enable him to do so, if he has a chance.

30906. Is that your observation of the men engaged in the business as a class?—There are a number of honest men in the business, as there are in any other business.

30907. Is there a strong tendency to have the business monopolized by that class of people?—There is a tendency that way.

30908. Do you think that when fewer places are licensed, there is necessarily less drinking?—Yes, in a certain sense there is less drinking, but it may be done by more men. If you have more places, the price of liquor would be reduced so that more men could afford to drink. A workingman would be able to obtain three or four glasses, while now he might only be able to obtain one glass.

30909. Do you think the license law really restricts the trade?—Yes, I am certain of it.

30910. Does it restrict the drinker or seller or both?—A proper license law does not prevent the sale of liquor, but it restricts or regulates the sale. It restricts the intemperate use of liquor; so if there are fewer places selling, and they are selling only within certain hours and on certain days, the sale is thereby restricted and the drinking is less. There must be a certain number of places. You must consider the population and trade of the town, and there should not be more licenses issued than would enable a man to do a respectable business, and be able to say to any man: "You have had enough; I am going to close up now."

30911. What is "enough"? I suppose if a man does not know he has had enough, the hotel-keeper should be able to judge. When a man cannot pronounce his "Rs" properly he has had enough. That would be one test.



30912. But the hotel-keeper should know if the man does not know? Then the man is not the judge?—That is the point, of course.

30913. You would place the responsibility on the seller?—Yes.

30914. Is it your observation that the seller is particularly careful to draw the line at the right place?—Many of the sellers are so and a great many are not. There are a great many who do draw the line, but I cannot say the proportion.

30915. Is it a provision of the license law that a seller should not sell to a man who is drunk?—Yes.

30916. Do you think that is a wise provision?—Yes, you will find that provision in the Act. In regard to hotels, I may say that there are only two hotels (because even a respectable man may have the misfortune of going on a spree once in a while and may even have to be interdicted,) that would not refuse to give drink to persistent drunkards on simple notice being given. Instead of giving notice of interdiction, which of course would be known to the public, I took the trouble myself in one case of going to the proprietors of hotels, asking them if instead of the families notifying them of interdiction, they would act without it, and my request was denied by only two hotel-keepers, all the rest declaring that they would not give the man liquor. His name was not published and liquor was not sold to him. Those two men I drove out of the business for doing so, for they gave liquor to a man to whom they should not have sold it.

30917. Of course, it would be cruel to sell to a man already disabled; but do you think it is a mistake to let dealers sell to a man until he reaches that point?—That would be a hard question to judge. The man might be a stranger, and the man who had been properly interdicted might in some cases get enough liquor to place himself in a state of intoxication.

30918. On the Lord's Day I saw two men, one an old man and the other a young man, both very much intoxicated on the street. Was it not a wrong act for a licensed dealer to sell to those men, and was it not illegal?—Yes; if a dealer had sold to them. Of course they might have taken that liquor on account of places being sealed up. I heard two men on Saturday night say that as they could not get a glass on Sunday, they would get flasks and carry them over Sunday; but that condition of things is what I wish to prevent.

30919. Do you think that as the law prevents the sale on Sunday so that men could not get a glass of liquor as they ordinarily do, and they were compelled, as they thought, to get flasks to carry them over Sunday, it would be well to change the law so as to enable them to get liquor by the glass instead of getting it by the flask?—That saloon should be closed.

30920. You think they should be under prohibition every Sunday?—There may be a little too much liberty exercised in regard to hotels.

30921. You have mentioned that you are anxious to enforce the license law so that men could get their glass of liquor on Saturday night. What would be the advantage of that?—The disadvantage is that workingmen on leaving their work on Saturday night want something to drink. They had been in the habit of visiting some of the taverns and spending perhaps 50 cents apiece and then going home at 11 o'clock, but when they found that they could not obtain liquor by the glass in the evening, they each bought a bottle, as they had to treat each other. Of course they could not take beer, so they each had to take a bottle of whisky, which they drank on Sunday. The result was that they were drinking all the next day. Such drinking causes much unhappiness in the home and is a bad example to the family.

30922. Then you think more evil follows home drinking?—Yes, more than drinking at hotels.

30923. You spoke of the adulteration of liquors in the North-west. Did you know of tobacco, bluestone and like ingredients being used as adulterating materials there?—Not of my own knowledge.

30924. Do you believe those adulterations did occur?—Yes, I am certain of it; that has been done, I know it has been done. I have seen such things done any number of times, Eau de Cologne and other perfumes being used: of course they are nearly all composed of alcohol.

RICHARD LATOUCHE TUPPER.



30925. Do you think those compounds were resorted to in the North-west?—Yes, because the people could not buy decent liquor there.

30926. Was it because of the difficulty of getting liquor?—Their permits had run out. Sometimes they would not have any liquor in for a month or two.

30927. Then the sale was in consequence of the difficulty of bringing in liquor; did the prohibitory law have any effect on that?—None whatever; I do not think it made any difference.

30928. Was that because of the use made of the permit system?—No. More liquor went into the North-west without permit than went in by permit.

30929. Was no attempt made to search for it?—Yes, the Mounted Police did their duty.

30930. Did they ever discover any liquor?—Yes, very often.

30931. Did the quantity of liquor used diminish?—It diminished as the liquor was brought in.

30932. Then you think the prohibitory law had no effect in diminishing the sale?—I think it had the effect of making as many drunkards as persons whom it prohibited obtaining liquor.

30933. You think the prohibition of the article makes it wanted?—I can hardly say that. I know it was felt that individual liberty was being interefered with, and therefore men would have liquor. Men who never drank before said so: they said it interfered with their liberty, and they would have it. I was told that the system had the effect on hundreds of men who considered their liberty was being interfered with and they were bound to have liquor. A number of men in this way were led to drink who had never drank before.

30934. Then many such men under a license system would never drink?—I cannot say that, but plenty of men drank who never drank before that time.

30935. Was that very general?—I cannot say whether it was general or not. I have stated what was the general feeling in the country: it was that liquor not being allowed to be brought in here, we will have it.

30936. Do you know whether permits were issued indiscriminately? As years went on were more permits given in later than in earlier years?—No; I think more permits were given in later years. Since Governor Royal took office, there have been fewer permits than ever before. I never got but one permit in my life.

30937. I have here a copy of a parliamentary report which goes to show that in 1883, the number of gallons of whisky, brandy, beer, wine and the like given by permit was 6,736 gallons, and in 1890, the number of gallons issued by permit was 153,670, a very marked increase?—There are several reasons for that increase.

30938. What are they?—The railway at that time was not built beyond Winnipeg. The cost of freight was very high—three times what it was subsequently. Still another reason is, that if the permit was sent down by the old cart trail to the Hudson Bay Co. to fill, a permit say for five gallons, the chances were ten to one that the liquor would be stolen on the road. An additional fact is, that it would cost two or three times as much. Still another reason is, that there were very few people in the North-west Territories. The probable reason was that unless you went east yourself with the permit, the liquor was almost certain to be stolen on the road.

30939. The population has increased by two and a half fold, but the increase in the number of gallons under permit is from 6,000 gallons to 153,000 gallons or twenty-six times as much during later years. Moreover, this was under permit, without reference as to quantities coming in by other ways?—The cost of transportation was the great cause of the difference.

30940. But the fact remains that you are evidently mistaken as to your belief that there were more permits issued in earlier years than in later years?—I do not mean what they were issued for; I mean according to what was asked for. I know more permits have been refused and cut down in quantity of late years; that was what I meant to say—it was according to applications.

30941. But you must remember that the quantity has increased twenty-six times, whereas the population has only increased two and a half times?—That I did not know.

I meant in regard to quantities asked for by individuals; the getting it in or not did not make any difference.

30942. Whether it was stolen or delivered, this was the quantity permitted. It would seem that the permits have immensely increased. Do you think the wholesale manner in which the permits were issued had anything to do with the ineffectiveness of the prohibitory law in the North-west?—That I cannot say.

30943. Speaking about the Iowa Act: did I understand you to say that a man for violating the Iowa law would be fined but once a month?—I have never read the Act, but was told that the premises were fined monthly. The punishment for the third offence was imprisonment, but they took care not to be prosecuted for the third offence.

30944. Then no matter who sold, the establishment paid the fine?—Yes, only the proprietor would be punished for the third offence. He took care not to be found guilty a third time; he would move the building to a vacant lot, and although it was the same man who sold the liquor and in the same building, yet any offence was a new offence against that property.

30945. Do you think it is a humiliating position to be compelled to move an establishment in which you were carrying on trade—to cart a rum shop round from lot to lot?—The law permits it, and it does not seem to say how many times they may move.

30946. What were the contents of these houses on wheels?—Some had billiard tables in the back part of the place.

30947. Was there many of them around?—I do not know.

30948. Did you see one?—Yes, I was in seven places.

30949. Would such an establishment be as large as this room?—No.

30950. Did you see any of them being removed?—No; they were all stationary when I saw them, I only inspected them one time when I was there for an hour or two. I looked at them in order to satisfy my curiosity.

30951. You have spoken of your experience in the North-west during the rebellion and you have stated that you yourself had no liquor for two months. Was liquor furnished to the soldiers?—No.

30952. Was it a disadvantage to them?—All would have been better soldiers and endured more if liquor had been served to them as a ration. Soldiers, as a rule, in company drink too much; but if it had been served as a ration, I believe it would have been a benefit.

30953. In Montreal the Commission received the testimony of Col. Hughes, who declared that for a considerable time during the campaign neither he nor his men had any liquor and they were materially better on account of the lack of it?—We were with him—the Montreal 65th—all through the North-west Rebellion in General Strange's column.

30954. You have stated that a prohibitory law would not be practicable in Manitoba?—I do not think it would.

30955. Why?—Because from all I have read and all I believe, it has not been found to work anywhere else, and I do not think it would work well here, less well here than in most places. There was a time here when the number of licenses were not limited, and when everybody sold when he chose every hour and day, but now changes have been brought about so that the hours are limited and the days are limited.

30956. Do you think the reform should go further and that the number of licenses should be reduced to nil?—No.

30957. Do you think a prohibitory law touching the manufacture, importation and sale of liquor, if well enforced, would be beneficial?—I do not think so.

30958. So your belief concerning prohibition is that it would not be desirable, even if it were practicable?—I do not think so.

30959. You spoke of pain-killer being used in the North-west and you stated that its use was prohibited: did the authorities succeed in prohibiting it?—I could not say. I do not think they did.

30960. Would it have been a good thing if they had been successful in prohibiting pain-killer? The pain-killer went as soon as the people could get, by law, all the liquor they wanted.

RICHARD LATOUCHE TUPPER.

30961. Which would be worse, pain-killer or whisky?—Pain-killer.

30962. You have noticed, of course, the vote given by the people of Manitoba: what do you think that means in regard to prohibition?—I do not think it means anything.

30963. What was the majority given in favour of prohibition?—A very large majority.

30964. Do you think the people who voted that way did not know what they were doing?—Yes; a great many were very earnest and a great many voted for fun. I have been told by many people that they did not want prohibition, but voted for it for fun.

30965. Was not the majority in the thousands?—It was 13,000 or 14,000.

30966. Do you consider that a considerable portion of those people voted simply for fun?—They voted without thinking. I am satisfied that if they came to consider the question again and to vote again, and had the question fairly and fully placed before them—which was not done last time—the majority would vote the other way. I am satisfied that would be the result.

30967. Have you observed that the liquor trade, as it exists, has done any serious injury or had any injurious effect on social and business life, or on the morals of the people at large?—I cannot see that it has. The abuse of liquor certainly has.

30968. You say the abuse of liquor has?—Yes.

30969. I understood you to say that you were the author of the present law?—Yes, before certain amendments were carried. I was the author of the law passed by the House of Assembly, after the McCarthy Act.

30970. The present law is the same, with certain amendments introduced?—Not the same altogether. Mr. Leacock, who was then a member of the House, revised it after I got it into shape for him.

30971. You drafted it, I believe, at the suggestion of Mr. Norquay? Did you insert the provision that enables counties and parishes to have prohibition under that law, by refusing licenses; or was that provision afterwards inserted?—That was afterwards put in.

30972. Is that a good provision, in your opinion?—No; I do not think so.

30973. You think, in all places, it would be better to have the trade licensed?—Yes; because if this is not done, it causes illicit sale of liquor.

30974. Do you think the people have any right to have a voice in the matter of the sale of liquor?—The signature of fifteen out of the nearest twenty neighbours are required to secure a license, and that meant prohibition all over the province, if the people wished it.

30975. There is no law permitting four-fifths of the people of Manitoba to refuse licenses and thus declare for prohibition?—The law does not prohibit it.

30976. I understand that there are some portions of Manitoba under the Scott Act. Do you know anything about that matter?—There were two counties under the Scott Act. I do not know whether the Act has been repealed or not, but I think it has.

*By Rev. Dr. McLéod:*

30977. Do you know how that Act worked in those counties? No; that was before my time.

*By Judge McDonald:*

30978. Then you know nothing whatever about the working of the Scott Act in those counties?—No; it was before I became connected with this city. I was then on my way west in the service of the Canadian Pacific Railway.

EDWARD L. DRURY of Winnipeg, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

30979. What is your business or occupation ?—I am a brewer.

30980. How long have you resided in Winnipeg ?—Nearly 18 years.

30981. Have you during all that time been engaged in the business of a brewer ?—

Yes.

30982. Did you come from one of the other provinces ?—I am from the other side of the line. I came from England originally, but I was in Minnesota before I came here.

30983. Did you commence the business of brewing when you came here ?—Yes, I started right into the business.

30984. How large was your output at first, in round figures ?—It was very small.

30985. Did you make more than one kind of liquor ?—I brewed ale and porter at that time. I made lager beer afterwards, and I have also done something in malting.

30986. Has your output increased from year to year ?—Yes, it has increased steadily.

30987. Can you give the Commission in round figures the quantity of your output at the present time ? My business is about 300,000 gallons of ale, porter and lager yearly.

30988. Of these three articles, which would be the largest quantity ?—Lager would be the largest, in the proportion of 60 of lager to 40 of the others.

30989. Taking the last five years, how would these proportions apply ; would there be about the quantity you have indicated, or would there be an increase in any one of them ?—The lager is gradually increasing ; it has gradually gone ahead of the others.

30990. You say you make malt ?—Yes, we produce it nearly all here ; occasionally we may run short and may have to get a few carloads from Ontario.

30991. Do you buy your barley here ?—Yes.

30992. Is it barley raised in the Province ?—Yes.

30993. Will you tell the Commission what has been your annual consumption of barley for the last five years ?—Last year I purchased about 35,000 bushels of barley in the Province.

30994. What price did you pay ?—Last year barley was low ; it was 30 to 35 cents per bushel.

30995. Do you obtain a good class of barley here ?—It was very good last year ; often it is a little discoloured. Last year I may say that it was remarkably bright.

30996. Do you use hops ? We get them from the east and from the other side of the line. We do not raise hops in Manitoba yet.

30997. How many men do you employ in your establishment ?—35 to 45 men.

30998. Is your brewery situated within the city limits ?—Yes ; when I started business it was outside of the city limits, but the limits have been extended considerably and my brewery was taken in.

30999. Is your ale, porter and lager consumed entirely within the province, or do you ship to other points ? We ship all over the North-west and to British Columbia, but not very much to the Eastern Provinces.

31000. Has the change in the law of the North-west affected you materially ?—We found a remarkable difference in 1889, when the 4 per cent beer was allowed, and the permit system was extended so as to allow that 4 per cent beer to come in ; that gave a great impetus to the brewing business of Winnipeg, and we got the benefit of that change quickly.

31001. What was the 4 per cent beer ; was it something you manufactured specially for the Territories ?—I fancy the object was to allow light beer to be brought into the Territories.

EDWARD L. DRURY.



31002. The intention, then, was to allow light beers to be brought in and to shut out the heavier beers?—I think Governor Royal's intention in taking 4 per cent as a maximum was that beer of considerable strength should not be brought into the North-west Territories.

31003. I understood you to say that you have found your trade increasing?—A great deal of liquor was sent in under that provision. A special permit was, of course, required for strong ale—a domestic permit, which would be for one barrel of ale for domestic use. The 4 per cent beer was made for selling in the Territories.

31004. How many breweries are there in the province?—There are seven.

31005. Is your brewery the largest?—Yes.

31006. Have you, as a citizen of Winnipeg, noticed the working of the license law here: have you found it work satisfactorily?—I think so; there have been changes made from time to time, and I think the license law is working very well. It promises to be somewhat stringent in some respects, but I recollect that we have to make laws for all kinds of people and for different conditions, and, moreover, all laws have to be so formed as to be capable of enforcement when placed on the statute-book. We have a law against swearing on the streets. If that law was rigidly enforced, it would require a larger armed force than we have now in the province. It is so also with respect to some provisions of the liquor license law that appear to be very stringent.

31007. So far as appears outwardly the law is well observed?—I think so, I have no occasion to think otherwise.

31008. Have you travelled in England, and the United States and other countries a great deal; and if so, do you find this city compare with other cities as regards the temperance habits of the people?—It compares very favourably; I do not know a more orderly, quiet and respectable city anywhere than Winnipeg.

31009. Have you seen anything of the working of a prohibitory law in any country?—No.

31010. Did you see such a law in force in the North-west Territories?—Yes. I was in Calgary during the period of the prohibitory law.

31011. Were you able to form an opinion as to whether it was observed or not?—I found plenty of drinking there. I found it difficult to get beer, but there was plenty of whisky to be had. I asked a man if I could not get a glass of ale, and he told me that a heavy fine was levied for selling porter or ale, and he could not run the risk of being caught. There was any amount of whisky to be had, but the lighter beverages were difficult to obtain.

31012. Have you lived in any country where the people used light wines and ales at the table as an ordinary drink?—In the United States lager is the universal beverage. The consumption reaches 12 gallons per capita per annum.

31013. Have you had reason to observe the effect of the use of lager on the people, whether there is less drinking than formerly?—I have never seen any greater degree of drinking in consequence; they seem to be an energetic, go-ahead race, and a great many of our people seem to think the United States a fine place to go to. Too many of them, I am sorry to say, have that opinion.

31014. Has your attention been called to the question whether liquors have been adulterated or not?—I do not know anything in regard to that matter. I know very little about strong liquor. I do not think there is any opportunity to adulterate beer.

31015. When the prohibitory law was in force in the North-west, were many permits sent to you to be filled?—I obtained quite a number; quite a number were sent to me, none for strong liquor, but simply for ale or beer.

31016. Have you ever lived in a community where high license was in force?—No.

31017. Then you do not know any city in which it is in operation?—It is in force in St. Paul, where I am interested in business, and in fact my father is located there.

31018. How is the system found to work?—Well, the dealers have to pay more into the city treasury. I believe there is a good deal of illicit sale going on there on account of it.

31019. Have you ever considered this question: if the Legislature shall abolish either the hotel bar or the saloon or restaurant bar, which would it be better to dispense with?

—I do not see any difference. I think restaurants are more necessary, especially in a community where a great many travellers arrive and depart, for they enable visitors to get meals at all hours, and in this way prove a great convenience to travellers. I repeat that I cannot see any difference.

31020. Of course you have travellers who stay in the city a short time?—Yes.

31021. Who simply take a meal or two and then get on the train and leave the city?—Yes. It is of course a great convenience to professional men who are detained in court, for example, to be able to get lunch at any time, and in fact the restaurants have always been considered to be a great convenience. The number of these licenses is limited here, there only being one restaurant license issued for every eight hotels.

31022. What is your opinion as to the granting of compensation to brewers and distillers in the event of the enactment of a prohibitory law?—In my opinion, all fair-minded men will take the same ground, that as the business has been sanctioned by law and with the approval of the people, compensation should be granted if permission to continue the business is withdrawn. It is, however, hardly necessary to discuss that phase of the question, in my opinion, for the contingency seems to be very remote.

*By Rev. Dr. McLeod:*

31023. How many men do you employ?—From 35 to 45 men.

31024. What is your output at the present time?—About 300,000 gallons.

31025. About what is its value?—From \$125,000 to \$150,000 a year.

31026. And is that sold principally in Manitoba?—Yes.

31027. Speaking about your sales in the North-west Territories: have your sales and shipments of beer to the Territories increased of late years?—They have increased very much. Of course prior to 1889 they were quite limited. After the four per cent license law came into force they materially increased, in fact that was the commencement of a large business with the Territories.

31028. When did that take place?—In 1889.

31029. Was beer sent there as four per cent beer?—Yes. There were two kinds of permits. One was granted to hotels, and they paid 10 cents per gallon and were thus enabled to obtain a supply of four per cent beer for sale. For domestic permits no charge was made by the Government, and private parties who wanted ale or spirit were able to get it in without paying the Government anything. The Government exacted the 10 cents per gallon from hotels in lieu of a license.

31030. What was the average quantity covered by a permit?—It ran about 30 gallons of ale, which would be a barrel.

31031. Has the quantity varied of late years, and if so, which way?—Since the license law came into effect the quantity has, of course, increased, because then the people bought 100 to 300 gallons.

31032. Were the quantities small prior to that time? Prior to the 4 per cent arrangement the quantities sent there, you say, were small comparatively?—Yes; they were, at all events, much smaller. Of course, I had nothing to do with liquor permits.

31033. Had you reason to believe that quantities were sent into the Territories without permits?—I have no doubt of it. We never sent in any, but it was not for lack of opportunity, and I may say, with much satisfaction, that we never violated the law in any way, or the permit system.

31034. Have you reason to believe that there was much sent in improperly?—There was more sent in than appeared, for there was no trouble in sending it in, except as regards beer and ale.

31035. You have spoken about the good order prevailing in Winnipeg. Do you attribute that desirable condition of affairs to the prevailing and uniform temperance sentiment that is observable in the community?—I think it is owing to the people themselves. If the large majority of the people were not in favour of quietness, sobriety and order, then of course we would have a different state of affairs.

31036. Or do you attribute it to the regulation of the traffic?—That may have something to do with it. We all recognize the desirability of a certain amount of regulation.

EDWARD L. DRURY.

31037. Would you abolish the whisky trade—of course I am aware you are not in the whisky trade?—I would not like to say that. I never use whisky myself.

31038. Do you think the whisky trade is a benefit to the community?—I would not like to say; I think liquor is beneficial. Some people are of opinion that spirituous liquors are beneficial, while others think they are injurious, but we have all to assume a certain amount of responsibility.

31039. Looking at the subject in a broad light, do you think the trade in alcoholic liquors is beneficial to the community or injurious?—That would be difficult to say without explanation. We can only judge by what we have, and to make a change by which you compel every man to do away with what he has been accustomed to ordinarily use, is to take a step I have never heard of; and, consequently, it is impossible for me to judge whether the people would be better off.

31040. Then you cannot compare the two systems, or say whether you have observed if the traffic, as it is carried on, is an injury?—I think a great many sensitive people are injured by not using liquor in moderation. Their very sensitiveness prevents them doing so, as well as the stigma that is placed on people who use liquor.

31041. How do you account for that stigma attaching to any one?—I do not know. The advocates of the other side of the question are responsible for it. I am not placing a stigma on it. It is often preached against, and no doubt a number of people have come to place a stigma on the use of liquor and on its effects. I repeat that a great many sensitive men and women would be greatly benefited by the use of it.

31042. Do you believe that they have facts on which they base their declarations?—No doubt there are lots of examples, and of course there are plenty of temperance lecturers always ready to recapitulate them.

31043. In some parts of this country and in some parts of the United States brewers are really the proprietors of a number of restaurants and bar-rooms. Is that true in regard to Winnipeg?—It is not the case here. I am interested in some by way of security. I am also interested in one hotel property, of which my brother is the owner. This is not nearly as much the case here as on the other side of the line, but in England of course it is much more generally the practice.

31044. Of course there is a good deal of it in the United States and also in some parts of Canada?—There is not much of it here.

31045. Then this is the state of things here in Winnipeg?—It is not; such a case is quite the exception.

31046. Then you attribute the good order here, in part, to the regulating of the traffic?—Yes.

31047. Why do you think the traffic should be regulated—why is it necessary to regulate it?—Because we have to take care of those who do not know enough, and the law must in some way regulate them. I believe such regulations are necessary for some people. I think it is desirable, for instance, to compel saloons to close at eleven o'clock at night, for, in my opinion, it is proper that men should leave at that time. It is time for a man to return home; of course, the large majority would leave often before that time, but there are a few who would hang on, and it is proper for the law to make certain regulations. The hotel men are all united in desiring that some regulation should be made and enforced. They recognize, as every one outside of the business must, that certain regulations are desirable and necessary, and there has never been a fight here in connection with Bills presented to the Legislature, nor have the hotel men sought in any way to bring about a different state of affairs.

31048. Then you favour the prohibition of the whisky trade, I mean the trade in strong drink?—I would not like to go that far. I have said that I do not taste whisky myself; still I am not a judge as to whether it is beneficial or otherwise for those who do use it. I think a good many people are benefited by the use of it.

31049. Do you think more are benefited by its use than are injured by its use? That I cannot tell.

31050. Do you know of any other legalized business of a like character to the liquor traffic?—No, I do not know of a business of a like character.

31051. Have you formed an opinion as to whether the tendency of the liquor traffic is strongly evil?—I do not think it is strongly evil.



31052. Why should it be restricted as it is restricted?—Because it is necessary.

31053. Why should the men engaged in the business submit quietly to restrictions being placed about the trade?—Because there are some men who have not sufficient control over themselves, and I believe that restrictions are necessary. The law is not interfering with private rights; and the majority of the people recognize that something of the sort is probably necessary in order to protect those who have not sufficient control over themselves and prevent them sitting all night in a place. I do not think it is good for a man to remain all night in a bar-room, away from his family. I think the places should be closed by a certain hour and the men be compelled to go home, if there is no other way of inducing them to do so. It would not be well to remain in a grocery or dry goods store; of course, it does not seem necessary to restrict the hours in those establishments.

31054. Do you see a difference in the two branches of business?—I can see that men find it more congenial to be at the other place.

31055. Do you think it is more beneficial?—No, I do not; that is the reason I think they should be home.

31056. I do not need to ask whether you believe in prohibition?—I do not. Speaking outside of my business, I may say that I do not believe in prohibition, because I think a great many people are benefited by stimulants, which are universally used by the human race and which people take almost instinctively. The desire exists in all classes and in all communities. It exists among the weaker sex, but they are satisfied with tea. Of course tea is a stimulant, but a very moderate stimulant. Tea, I repeat, is a moderate stimulant, but it appears to be sufficient for the opposite sex. Men, I claim, want something stronger, and they have gone in for beer, wine and whisky.

31057. Do you think it is proper to provide for that taste?—I think you can go to excess in almost everything, and it is the immoderate use of stimulants that causes the trouble and not the proper use of them. They were provided to be made good use of and to benefit the human race.

31058. You have stated that in case a general prohibitory law was enacted, compensation should be given to the men engaged in the brewing and distilling trades. Do you pay a license from year to year to the Government?—I do.

31059. What is the amount of the license?—About \$200 a year for the brewery and malt-house.

31060. And a license for one year does not entitle you to a license for another year, I suppose?—Yes; it is continued.

31061. You entered upon the business of brewing knowing there was a growing sentiment against it?—When I took hold of my business, 18 years ago, I started out in good faith, and worked hard, and I have put in the best years of my life in connection with it. I have thus built up a very successful business; and although there may be a growing sentiment in favour of temperance, I think one is about keeping pace with the other, and looking at the matter dispassionately, I judge that 75 to 80 per cent of the population use stimulants in one way or another.

31062. Do you believe they are better for doing so?—Some are and others are probably injured. A man must assume a certain moral responsibility, and if he injures himself, he should not make others suffer for him.

31063. But you think it is well to regulate the sale?—I do.

31064. You think it would be well to regulate the consumption of the stimulants?—If you could sell only to those who would be benefitted, there would be no necessity to provide that those who would be injured should leave it alone.

31065. Would it not be well to regulate the tea business?—I have seen some articles in which ladies themselves have deprecated the immoderate use of tea. Some statements in the papers reporting a recent tea sale show that an article is sold that is not beneficial.

31066. Then you think the use of tea has produced effects that would sanction the enactment of laws regulating the sale of tea as they regulate the sale of liquor?—I would not consider myself to be a judge on such matters.

31067. Do you think the two cases are parallel to a certain degree?—As they are both stimulants, the cases are certainly parallel. I simply mentioned this matter to

EDWARD L. DRURY.



show that there was a desire on the part of the human race for stimulants of some sort, and to show that even tea will satisfy that craving to a certain extent. I myself use more tea than anything else, so I am not running down the use of tea particularly.

*By Judge McDonald :*

31068. Taking the proportion of people who use stimulants, is there a large proportion addicted to intemperance?—No, I do not think so.

31069. Take the ale you sell : from your knowledge of the people and the use made of liquors, do you find a large percentage of the people who consume it are people who are addicted to intemperance and drunkenness?—No, I think the percentage of those who use liquor in some form or other intemperately, is a very small one.

31070. I understand by your evidence that while the consumption of spirituous liquor is very large, there is a very small percentage of people really injured by the use of them?—I think so.

31071. You spoke of having seven breweries in Manitoba and that yours is the largest ; have you any knowledge of the number of men employed in the seven breweries altogether?—I do not know exactly ; I employ probably more men than are employed by the other brewers altogether.

31072. Then the other breweries are in a small way of business?—Yes ; there is one other here that is quite a large concern, but the other breweries are small.

31073. Do you know how many men are employed in them altogether, or would the others taken together equal the number of men you employ? That would be the case I should judge.

31074. Have you any suggestion to offer to the Commission?—None that I am aware of.

31075. We shall be glad to receive any suggestions from you?—I am quite satisfied with the present license law, and I should like to see it fairly enforced.

THOMAS NIXON, of Winnipeg, Right of Way Agent for the C.P.R. Company, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

31076. How long have you resided in Winnipeg?—18 years.

31077. Was that the first place in which you resided after you came to Manitoba?—Yes, and I have resided here ever since.

31078. During all that time have you been engaged in your present occupation?—I was paymaster and purveyor for the Canadian Pacific Railway under the Government and then I became right of way agent.

31079. So in your occupation you travel about a good deal, I suppose?—Yes.

31080. How far does your district run?—From Port Arthur to Donald. However, I do not have so much to do in the North-west Territories, the land there belonging to the Government, the Canadian Pacific Railway or the Hudson Bay Company ; I do not have much to do beyond the limits of this Province.

31081. Take the city of Winnipeg : do you think the license law is well observed here?—I do not.

31082. Will you kindly state to the Commission in what way you consider it is not observed. In the first place, in regard to the law on Sunday : how do you think the law is carried out in that respect?—In my opinion it is a matter of judgment, and as I do not go around much I cannot say ; but I have heard from others that you could get liquor at nearly every hotel, although properly speaking no saloons should sell.

31083. Then your evidence on this point is merely hearsay?—It is only hearsay.

31084. Do you see much drunkenness on Sunday?—No, I do not, I walk to church on a certain street and walk home again.

31085. Do you know whether you have any trouble in this city in the direction of sales to minors, young man under age?—I do not think there is, I have no knowledge of that personally.

31086. Have you any reason to believe that adulterated liquors are sold?—I do not know anything about that matter.

31087. Then nothing of the kind has come under your notice?—No, I have not heard of it.

31088. Have you noticed in regard to the closing of the licensed houses on week days, that they are closed at the hours mentioned in the law?—I have noticed that they were open.

31089. Do you mean that they were open after the hours fixed by law?—Yes.

31090. Are there any others matters in connection with the licenses to which you desire to draw attention?—There are none that I know of.

31091. Are you opposed to a license law?—Yes.

31092. If you had to choose between a license law and indiscriminate sale of liquor, which would you prefer?—I would choose a license law.

31093. Why would you prefer a license law to indiscriminate sale?—Because I do not think we should take money from an evil thing.

31094. Then you think the license law to be a sin, I suppose?—Most assuredly I do.

31095. Therefore, if there is such a law in force, you look upon the community as having done that which is sinful?—I do.

31096. Following up that line, I suppose you would rather have prohibition than either of them?—Most assuredly I would.

31097. Do you consider prohibition desirable?—I do.

31098. Do you consider it practicable?—I do.

31099. Would there not be great difficulties in enforcing such a measure?—There would not be if the Government gave the necessary machinery and aid that we would ask for, officers to see that the measure was enforced. We have not enough to see that the license law is enforced, and if I am correct in my view, it is not enforced by officers.

31100. Is there no police officer in the city to look after the law?—I believe not.

31101. Have you no Inspector?—We have an Inspector of Licences I believe; but he is not a policeman.

31102. Does he look after the enforcement of the license law?—I cannot say in regard to that.

31103. Do you think one policeman can efficiently look after that work?—No. I am not sure I am correct, but I believe the License Inspector is the Inspector for the whole province.

31104. Do you know if he has any deputies here?—I do not know.

31105. How would you have policemen appointed: would you have them appointed by the Dominion Government, by the province or by the municipality?—By whatever body had the power of enacting the prohibition law.

31106. By whom would you have those policemen paid?—By the Government.

31107. Do you think the smuggling of liquor would be assuredly prevented if there was a sufficient force of officers appointed?—I think so.

31108. What would be a sufficient force; would the same number as is now used to prevent smuggling be sufficient?—I do not think any more men would be required.

31109. Do you consider there would be illicit manufacture, for of course any manufacture of alcohol would be illicit? Would there be illicit stills established all over the country, and would they have to be looked after?—Yes; there are some such now, but they are in a small way.

31110. Have you considered in that connection the question of granting compensation to brewers and distillers in the event of the enactment of a prohibitory law?—I would not compensate them; their licenses only extend from year to year.

31111. Have you observed or formed an opinion as to the effect upon the country of their trade, whether it is favourable or unfavourable?—I think it is most decidedly unfavourable.

31112. Do you think the effects observed have been injurious?—Yes.

THOMAS NIXON.

31113. In what respects?—Take this city. No less than a quarter of a million of dollars are spent in this city every year.

31114. Is that bar drinking?—Yes, it is bar drinking. That quarter of a million of dollars, if a prohibitory law was enacted, would be spent on clothing, boots and shoes, furniture and other necessities.

31115. What becomes of that money now?—The brewers get it, the distillers get it and the publicans get it. The horsemen get it in the shape of betting, and there are various ways in which it goes in the form of gambling.

31116. You do not think it finds its way into general circulation?—Not into the circulation I should like to see it given.

31117. Apart from that, are there any injurious effects on persons, except as regards bar drinking?—Yes; there is the fact that men do not pay their debts. I am in the solicitor's office of the Canadian Pacific Railway Company, and I know there are a large number of garnishees for the non-payment of small debts which the men owe. There are a good many of these men who, if they would leave liquor alone, would not be garnisheed, but would be able to pay their debts.

31118. Do you speak from your own knowledge?—Yes.

31119. Would there be any other reason?—I do not know of any others at the present moment.

31120. Do you think illicit sale of liquor prevails to any great extent in the community?—I do not think so.

31121. The licensed houses meet the requirements of the population?—Yes, very fully.

31122. Have you ever considered the question of the treatment of the persistent drunkard? Have you lived in Toronto?—Yes, for years.

31123. No doubt you are aware that there are certain classes of people who are constantly being committed to prison for short terms and who afterwards reappear before the police court?—Yes. I knew the celebrated Harry Henry, who was up 145 times.

31124. It has been suggested in regard to such people that while the license law exists, it would be far better for the population if such people were shut up for considerable periods?—I think it would be.

31125. They seem to be constantly travelling between the jail and the saloon?—Yes; but they will not do this if you will give us prohibition.

31126. While the license law exists, would it not be better to have such men sent to an institute and have them properly treated?—Yes, send them to an asylum.

31127. You would, no doubt, hope that such men would be got rid of if prohibition was enacted?—I think they would be.

31128. Do you suppose you could have a prohibitory law that would do away with drinking altogether?—No, I would be very sorry to say so; I do not hope for such a result, but I may say that I have been in a prohibition city.

31129. Where was that?—In Pasadena, California. While there for two months, and having nothing to do, I made it my special business, except on Sundays, to go in and out among the people and watch the operation of the prohibition which was in operation there.

31130. How did you find it work?—Remarkably well.

31131. The celebrated Raymond hotel is there: is there no liquor sold there?—Not except by permits. There are five drug stores there.

31132. Is it sold as medical permits require, and are they given in all cases for liquor? Or is it possible to obtain liquor at the drug stores as a beverage?—It is not.

31133. What is the population of that city?—10,000. That was the third season I was there.

31134. Are the people permitted to have liquor in their own cellars for their private use?—No.

31135. I suppose they cannot bring in any for their private use from other places? Yes, but it must not be exposed for sale.

31136. Do you call that prohibition?—Yes, I do.

31137. Is that the kind of prohibition you wish for this country?—That is the kind of prohibition I should like. It would do away with the manufacture of liquor.

31138. So the prohibition you wish would permit the seller to obtain liquor for his own private use and to keep it in the cellar and give it to his friends?—If we can do away with the manufacture of liquor there will not be much in the country, I presume.

31139. That is the main point of the law; a man may have as much as he wishes for his private use, and he can obtain it from Montreal or Boston or where he pleases and bring it into the city?—Yes.

31140. Would you be satisfied with that kind of prohibition?—I would for the present.

31141. That is really the Scott Act?—I would be satisfied with it for the present.

31142. Do you know where such a law is in force?—No, I do not.

31143. Have you been anywhere where high license prevails?—No, I have not.

31144. Have you observed how the present mode of obtaining licenses is working?—No, I have not paid any attention to that matter.

31145. Have you formed an opinion as to whether a restriction of licenses would be desirable?—I presume it would be, if we are to continue to have liquor.

31146. Have you ever considered the advisability of promoting the use of light wines and beers in preference to strong liquors?—I have not; I would be a little afraid to do that. Not on account of the wine, but on account of the beer question.

31147. In what way?—The drinking of beer is a greater detriment even than the drinking of spirituous liquors.

31148. From your knowledge of people and families, have you found such to be the case?—Yes.

31149. Would more drunkenness grow out of beer drinking?—Yes, boys learn to drink beer, and these boys by and by become drunkards.

31150. Taking your experience of the use of wines, ales and liquors in the community and taking the people who use them, is there a larger or smaller proportion of the people who become intemperate?—I would rather think it was a smaller than a larger proportion; I would not like to say it was a larger.

31151. Are there not many people who use them?—Yes, and who live to a good old age; but a great many die very early.

31152. Such being the case, would you, against the will of those people who do use such liquors and are not hurt by them, take away from them the privilege of using them?—You mean, I suppose, hurt in their health.

31153. You are undoubtedly well aware that, as a rule, they do not take them intemperately: would you take away from those people the opportunity of using these liquors when they are not hurt by them?—Yes; for the sake of the families of those persons, although they may not drink themselves.

31154. You have said you would be quite satisfied for the present to have a law which would enable the people to have all the liquor they wished in their own houses?—Yes; but four-fifths of the population would not be able to do so, if their earnings were not more than \$1.50, \$2.25 or \$2.50 per day. In my judgment, that would certainly shut those men out from having liquor in their cellars, and they would have that amount of money to spend on themselves and on their families.

31155. Do you know any country in which what might be called a complete prohibitory law, is in force?—I know of no such country.

31156. The Commission were told in the Maritime Provinces, by the Rev. Dr. Stewart, that in the Fiji Islands there is such a prohibitory law.—I was not aware of it.

31157. If you allowed families to have as much liquor as they pleased in their own houses, would it not be possible for men to keep a certain quantity of liquor in store, especially of ale?—I do not think such people would keep much. I have never found them forehanded enough.

31158. You would be in the happy position of carrying a prohibition law which would prevent the sale, for beverage purposes, in bars or shops, in small quantities, and which would have the result of preventing the classes of persons of whom you have spoken, obtaining any for their use?—Yes; I think it would do that.

31159. Are there any suggestions you desire to offer to the Commission in regard to changes in the law?—I do not know of any at present.

THOMAS NIXON.



31160. I understood you were opposed to a license law altogether?—Yes.

31161. Taking the present license law, do you think the limitation of the number of persons who have licenses and charging a higher fee, would be desirable?—I think that would be just as dangerous as a greater number of licenses at the present time. I think a better class of citizens, and probably a greater number of them, would be ruined by those saloons. Men who are able to pay \$1,000 for a license are able to get up, what we would call, a gilded saloon, which commends itself to the æsthetic tastes of the young men of the city, and, in my judgment, is more harmful than the present system.

31162. Then, you think, that high license is in no way beneficial?—No; I do not think it is beneficial.

31163. Would you place any restrictions on the places licensed?—Yes.

31164. Have you ever considered the question as to whether, if one or other had to be done away with, it would be better to do away with the saloon, or restaurant, or hotel?—There are no saloons here, properly speaking.

31165. None of the old-fashioned drinking places?—We have three kinds of licenses; one class is shop licenses, and the other two classes are for hotels and restaurants.

31166. If either must necessarily be done away with, restaurant or hotel license, which would you prefer to retain?—I think I would prefer to retain the restaurant license, provided the houses close up at proper hours.

31167. Would you rather have them than hotels?—Yes. I assume that they would close when men had got through their eating—say seven or eight o'clock in the evening. Of course the hotels remain open, some of them at all events, all night.

31168. Would you prefer allowing both to remain open the same length of time?—I do not know; that would be a pretty difficult question to determine. I was in Maine about thirty years ago, having been sent by Mr. Abraham Fairwell, who wished me to spend three months in going through the State. The late Honourable Mr. Cameron of Ormiston sent two other persons down to Maine to remain three months and report how they found the State, and whether the Maine liquor law was carried out in its integrity or not. Their report was to the effect that after travelling through a great many of the rural districts, they were of opinion that that law was remarkably well enforced.

31169. Was the report submitted in writing?—Yes, it was printed.

31170. Is it in existence?—I do not know.

31171. Can you furnish us with a copy?—I should like to be able to obtain one for the Commission. Mr. Fairwell is dead.

31172. Mr. Fairwell, I believe, was an enthusiastic prohibitionist?—I understand so.

31173. I believe he devoted himself largely to promoting the prohibition cause?—Yes, he was enthusiastic.

31174. Will you try and obtain a copy of that report, as the Commission will be glad to receive it?—I will most assuredly endeavour to find one.

31175. I presume you are aware that we have much evidence in regard to the present, but not much in regard to thirty years ago?—Quite so.

31176. In regard to your district in the North-west: I understand your district goes as far west as Donald. Have you made personal observation in regard to the working of the prohibitory law in the North-west Territories?—No, I have not.

*By Rev. Dr. McLeod:*

31177. Your observation of prohibition in California was observation of a Local Option Law and police regulation, I suppose?—I have the law here with me. The trustees of the town (they are not aldermen, but common council men) are permitted to adopt an ordinance, under which there are so called police regulations. They passed such an ordinance, and not less than four times was an effort made to upset it, but the Supreme Court of California decided that it should be maintained.

31178. And you think the authorities had not any serious difficulty in enforcing it?—They had none, as far as I could learn. I was with the policemen almost every day.

31179. Were you able to ascertain whether public sentiment was very strongly in favour of the law?—It was very strongly in favour of the law.

31180. No doubt there were attempts made to violate it?—Yes.

31181. Were the violators brought quickly to justice?—They were, and they were fined.

31182. From your large observation of the liquor traffic for a number of years, have you noticed that the traffic has serious effects upon family life?—Yes.

31183. Wherever you have been, has such been the case?—Yes, wherever I have been, and I have travelled a good deal.

31184. Have you noticed that not only those addicted to drink, but others also, suffer largely in consequence of this habit?—Yes, all parties suffer.

31185. Do you think the liquor traffic, as it at present exists, is a constant menace to the home life of the country?—I do.

31186. In your opinion does it involve a financial loss?—Yes.

31187. Are you of opinion that the money spent on liquor is practically wasted?—I am.

31188. In what does that expenditure differ from that made on groceries and dry goods?—I think people had better throw the money into the river than buy liquor with it.

31189. Groceries and dry goods, I suppose, are an equivalent?—Yes.

31190. Have you an equivalent in whisky or beer?—You have not.

31191. I think you said you would favour a prohibitory law that would permit the purchase of liquor and the storing of it in a cellar for private consumption. Is that your ideal of a prohibitory law?—No; it is not my ideal of a prohibitory law exactly, but I find such difficulty in getting even good men to go in for prohibition pure and simple, that I have modified my own view somewhat.

31192. And you would accept a prohibitory law that did not prohibit a man purchasing liquor elsewhere and storing it in his cellar?—Yes, with one proviso attached—that there should be no manufacture in this country, or sale.

31193. Your idea of prohibition is to strike at the importation, manufacture and sale?—That is right.

31194. Speaking in regard to the practise of prohibition, I think you said you thought it would be practicable. Do you believe that there would be any greater inducement if a prohibitory law were enacted, to smuggle liquor than there is now?—I do not think there would be; still there might be. I would rather qualify that answer: as three-quarters of the wholesale cost must be paid in duty, so there must, of course, be a great inducement to people to smuggle now.

31195. Judging from the reports that reach us, there are constant attempts made everywhere to smuggle liquor, and do you think there would be very much more inducement under the prohibitory law?—Yes, there might be.

31196. Do you think it could be prevented? I do, certainly.

31197. Do you believe that any law which involves the welfare of the people can be enforced if its advocates are in earnest about it?—Yes, certainly.

31198. There would, of course, be some infractions of any law?—I have sent one man to the penitentiary for horse-stealing, but that has not prevented stealing, and horses have been stolen since.

31199. Did that suggest the idea of abolishing the law against horse-stealing?—No.

31200. What do you think of the plebiscite recently taken; does it express the state of public opinion on this question? We have it in evidence that the vote was taken for fun?—No, there was no fun about it. There was a solemn warning to the Legislature of the country as to what the opinion of the people of Manitoba was on this subject. Many voters gave their votes in constituencies that have almost a prohibitory law now.

31201. Do you mean under the license law?—Yes; there are no licenses granted in some of these constituencies, and that fact will indicate to the Commission that the vote was not given in fun. Take our own city: certainly it was not for fun that the people voted.

31202. Did Winnipeg give a considerable majority in favour of prohibition?—Yes; there was no fun about it, but the contest was in dead earnest. The people were left alone to vote as they pleased. The temperance people and the fanatics, as we are called, did go about and hold meetings and make temperance speeches and talk about the duty

THOMAS NIXON.

of citizens, but the voters went to the polls voluntarily. They went up to vote as they decided, voluntarily.

31203. There was no undue influence used?—No, and no money was spent on it, not one dollar.

31204. It was a pure poll?—Yes.

31205. Was there much agitation against it?—I do not think there was any.

31206. The people, untrammelled, expressed their opinions?—Yes, they did so.

31207. Did the vote polled represent a large percentage of the total vote?—A very large percentage.

31208. In view of the vote given in Winnipeg, where there are fifty licenses granted, would you understand the large vote in favour of prohibition to express the feeling of the people against the present license law and in favour of prohibition?—I would not take the result in any other way.

31209. You do not think it was a mere joke?—No. We held some public meetings in Winnipeg.

31210. Was there any agitation on the opposite side in Winnipeg?—I do not think there was any.

31211. I do not mean necessarily by public meetings, but by personal canvass?—I do not know; there might have been.

*By Judge McDonald :*

31212. Do you consider it is a sin to drink a glass of wine?—I do not.

31213. Did I understand you to place horse-stealing and taking a glass of wine on the same footing?—I think it is a sin to steal a horse, but I do not think it is a sin to drink a glass of wine.

31214. The question was put to you in regard to the prohibiting of horse-stealing and the sale of wine, not so much as to the sale of wine as to the sale of liquor. Do you think the sense of the community is the same in regard to horse-stealing as it is in regard to the sale of wine?—I do not.

31215. Taking your view of the question, do you ever hope to obtain the same sentiment in regard to the one as the other?—I shall never live long enough to see that.

31216. In other words, the sentiment of the community is different towards the one than it is towards the other?—I presume it is, it is against liquor.

31217. Has any attempt been made to pass the Scott Act in Winnipeg?—I think not.

31218. You know you have a right to take a vote here on the Scott Act?—Yes, but we have not taken one.

31219. The recent large majority in favour of prohibitory legislation has not yet resulted in a single step being taken towards submitting the Scott Act to the electors?—We do not require to do so if the Legislature carry out what they promised to do for us.

31220. What was that?—That if the vote was in favour of prohibiting the traffic, the Government would do it.

31221. Do you mean that the Legislature would pass a prohibitory law?—That is their object.

31222. It is to that you are looking forward?—Yes.

31223. What will be its effect?—I do not know.

31224. What was the issue before the electors?—License or prohibition, for prohibition and against prohibition.

31225. Then the mode of prohibition was not submitted?—No.

31226. You have known a city, of which you have spoken, in California, where prohibition has been carried, which, allows private individuals to have their cellars stocked with liquors for their own use, just as people are allowed to do under the Maine law and under the Scott Act. That is called prohibition. Do I understand that you mean that the question of the total prohibition of manufacture and sale was submitted to the people of Manitoba?—It was not definitely submitted.

31227. Was any question raised as to whether the manufacture should be interfered with by the Provincial Legislature?—No, the question was not raised.

31228. Then the particulars as regards prohibition were not discussed?—No.

31229. Do you desire a prohibitory measure to be carried?—Yes.

31230. Take the province as you know it—and of course you know it pretty well?—I do.

31231. Submit to the people this question, making them acquainted with the effects—shall a law be enacted that will permit a man who can afford to buy liquor at a distance, to bring it in and fill his cellar, but will prevent a man, who cannot afford to do so, having any liquor? Do you suppose the people would carry such a law?—I would carry it.

31232. You believe it would be carried by the votes of the people?—Yes.

31233. In other words, the people who would know the result of such a law, under which a rich man could keep his cellar filled with liquor, while a poor man could not get any, would pass such an enactment?—I believe they would.

31234. Would not a community that took such a high view be already a temperance people?—They are a temperance people in the rural districts of this country.

31235. Do you believe that in the rural districts such a proposition would carry?—Yes.

31236. Would you hope to carry it in this city?—Yes.

31237. And carry it everywhere?—Yes.

31238. That being the case, do you need prohibition?—Yes, we do.

31239. Why?—Because licenses are granted in this city.

31240. But under the existence of an overwhelming sentiment in favour of leaving a man who cannot obtain a large quantity of liquor to store in his cellar, without any liquor, while you allow a rich man to have it in abundance, would not the sentiment be so strongly in favour of temperance that prohibition might be considered to be an accomplished fact?—No, I do not think so.

31241. You think the people would still need some legislative restriction?—I think so.

31242. But the mode they have not yet decided on?—Quite so.

*By Rev. Dr. McLeod :*

31243. I suppose you understand that the Maine law prohibits the sale of liquor in the State of Maine?—It cannot prohibit a man purchasing liquor in another State and bringing it in as his own property, and therefore it does not attempt to do so. The State of Maine law does not contain any provision that permits or allows a man to have liquor in his cellar, but since the State has no power to do more than prohibit the sale within the State itself, it cannot deal with that matter.

31244. I suppose it would be the same in the case of Manitoba?—If the Manitoba Legislature enacted a prohibitory law, it could not do more than prohibit the sale and manufacture of liquor within the province.

31245. Would you favour a prohibitory law passed by the Dominion Parliament, which would prohibit the manufacture, sale and importation of liquor for the whole Dominion?—I would.

31246. Would that meet the case of a man who wants to have liquor in his cellar?—I do not suppose it would, if he could get it in; but if you prohibited the importation, I do not see how he would be able to get it in.

31247. Would you favour a law of that kind?—I would.

*By Judge McDonald :*

31248. I understood you to say that you would not favour a law that would prevent a man bringing liquor in and storing it in his cellar?—We cannot pass a law as to importation.

31249. General Neal Dow said when before the Commission, that he would not be in favour of a law that would prevent a man having that privilege, because he did not consider it would be workable?—That is the private impression of a private individual.

31250. It would become such an interference with the liberty of the subject, that he questioned whether the people would be prepared for it?—Perhaps I am not fully educated up to the point of my brethren on this question.

THOMAS NIXON.



31251. You may not take a practical view as to what would be possible to carry out?—I did not state what was the best law that might be passed.

31252. Would you permit liquor to be brought in for mechanical purposes?—Yes.

31253. Also for medicinal purposes?—Yes.

31254. Also for sacramental purposes?—Yes, certainly.

31255. So, you would not interfere with a man's conscience or with his necessities?—Yes.

*By Rev. Dr. McLeod :*

31256. If there was a law in force prohibiting the sale of liquor, would you see a great deal of difference between the violation of that law, and the violation of the law respecting horse-stealing?—In each case it would be a violation of the law. I suppose I must go back to the Scriptures—that every violation of the law is a sin.

*By Judge McDonald :*

31257. Under our laws we have a penalty attached to the offence of leaving a horse untied or of allowing cattle to stray. Would you put either of these offences on the same basis as horse-stealing?—No, I would not.

31258. Is not horse-stealing a sin of itself, whether this law prohibits it or not?—Yes.

31259. Is there not any difference in these two offences?—I suppose there must be some difference.

31260. Have you not found that the sentiment of the community is different in viewing one and the other?—I do not see why a citizen should not be made to obey the law.

*By Rev. Dr. McLeod :*

31261. You understand the licensing of the drink trade to be a sin?—Yes, I think so.

31262. Do you think the selling or giving to any one of strong drink is a sin?—Most assuredly, the selling of it is a sin. There is not a tavern-keeper who can kneel down and ask God to bless his business during the day if he engages in selling liquor over the bar ; there is not a man on earth who can do it.

*By Judge McDonald :*

31263. Do you favour the withholding of church membership from the manufacturer of liquor or the distiller?—I belong to the Methodist Church, and if such a man were in the Methodist Church, he would have to go out of it.

31264. Do you suppose, if that course were followed by all religious bodies, the effect would be to place the traffic in the hands of an undesirable class?—I think it is in the hands of undesirable men now.

31265. Would not that course place it in the hands of more undesirable men ; would it not have that effect?—I do not know of any church in our city that has members engaged in the traffic—I do not mean men engaged in the manufacture of liquor.

31266. I put the question in regard to manufacturers and distillers, and you are aware there are wholesale dealers?—I do not know of any church here that has those men as members.

31267. Do you know whether all the churches have laid down the rule, that the church will take away membership from such individuals?—They do not ; the English Church, the Catholic Church and the Salvation Army do not.

*By Rev. Dr. McLeod :*

31268. As to the effect of the drink trade ; what effect has that trade on the men engaged in it?—They nearly all are ruined by it.

31269. In what way ; from drinking themselves?—Yes.

31270. Does that rule apply to the manufacturers and wholesale dealers as well as the retailers?—I have not looked into the question of the manufacturers or wholesale dealers ; I have only looked into the class we would call in the old country publicans.

Having been a total abstainer for half a century, I have made it my special and particular business to look after the way in which these men go through life, I refer to these men engaged in the liquor business.

*By Judge McDonald :*

31271. Why do you not extend your inquiries to others ?—It never occurred to me to do so.

*By Rev. Dr. McLeod :*

31272. Am I to understand there are different degrees of wrong as between the different classes engaged in the trade, I mean as to whether there are different degrees of wrong between the manufacturer, wholesale dealer and retailer ?—I cannot see any difference.

*By Judge McDonald :*

31273. At the same time you are going to permit the manufacturer of liquor for medicinal and scientific purposes to carry on his business ?—He is engaged in a perfectly legitimate, honourable and upright business.

31274. Then your idea would be to prohibit manufacturing for beverage purposes ?—Most certainly.

31275. Have you considered the amount of output you would allow the manufacturers for medicinal and scientific purposes ?—I have not.

31276. And the kind of liquor you would allow them to manufacture for medicinal and other purposes ?—No.

*By Rev. Dr. McLeod :*

31277. Would you have that business placed under strict Government control ?—Yes, most assuredly.

D. F. LENAN, of Winnipeg, hotel-keeper, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

31278. I believe you keep a licensed house in this city ?—Yes.

31279. How long have you lived here ?—Fourteen years.

31280. How long have you been engaged in the hotel business ?—Off and on for 10 years ; I have been several years where I am now.

31281. Have there been many changes made in the provisions of the license law since you started business ?—Yes.

31282. We understand there have been amendments made from time to time and restrictions placed on the sale ?—We have been allowed to keep open during longer hours than is the case now.

31283. Then you have now to close earlier than previously. What is the sentiment of those in the business as regards closing hours ?—I am well satisfied with them.

31284. You are closed I believe from 11 o'clock in the evening to 7 o'clock in the morning ?—Until 8.30.

E. P. LEACOCK, of St. Boniface, Winnipeg, Agent of the Canadian Pacific Railway, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

31285. Are you a native of this province?—No, I have been here fourteen years.  
31286. Did you come from another province of Canada?—I came here from England; I have lived in Ontario.

31287. Have you occupied any public position since you have been in this province?—I have been reeve of Kildonan, warden of Selkirk, a member of the Legislative Assembly and Magistrate, in fact I have been almost everything.

21288. As a member of the Legislature, had you anything to do with the preparation of the license law?—Yes, I prepared the Act of 1886.

31289. Have you observed the working of the license law in this province?—I have observed the working of the license law very closely.

31290. How do you find the law works?—I find that the law is not enforced.

31291. To what do you attribute the non-enforcement?—To the laxity of the officers, to the laxity of public opinion and to the lack of moral courage to enforce it.

31292. On the part of whom?—On the part of the officers who should enforce it, from the Attorney General down. Every one of them down to the lowest officer has not the moral courage to enforce the license law.

31293. That opens a very important question. We have just heard from one of the witnesses, Mr. Nixon, that a very heavy vote was recently polled in this province. Of course this has been taken as expressing the opinion of the people in favour of prohibition, for it has been represented to us that the majority given was a very large one. If that indicates the opinion of the people, how do you account for the lack of moral courage to enforce the present law?—Simply for this reason, that a great many Conservatives wished to place the Government in an awkward position by voting for prohibition. I imagine the motive of the Conservatives was to see what the Local Government would do if that vote were carried.

31294. That is not an answer to the question. The witness to whom I refer, Mr. Nixon, state that the vote was an expression in favour of prohibition by the people of Manitoba. As I understand you, the vote given was not due to that?—It was no expression of public opinion in favour of prohibition; it was rather an expression of opinion that the local license laws were not properly carried out and that very serious results would follow.

31295. Then it was not a vote in favour of prohibition?—It was a declaration in favour of strong measures being taken in regard to dealing with the traffic, but not in favour of prohibition *per se*.

31296. You have stated that the officers of both political parties have been to blame for the non-enforcement of the license law and for lack of moral courage. Of what are they afraid?—They are afraid of the hostile opinion of the licensed victuallers; they are also afraid of influences being brought to bear on them to stop prosecutions. There is no reason whatever why a man who is Attorney General of this province, whether he is a total abstainer or not, should not know perfectly well that the law is not enforced. It is not enforced, and no one attempts to enforce it.

31297. If the opinion of the majority of the people was favourable to strict enforcement, how could the Government resist that sentiment?—They do not resist it, they go to sleep.

31298. If that sentiment is for prohibition, how can they, in view of the power and influence exercised by those in favour of enforcement, yield to the other side?—For the very simple reason that the people talk and do not enforce their views.

31299. You think it is a mere matter of talk?—No doubt the license law would be more efficiently enforced except for the fact that under writs of *certiorari* a great many prosecutions have been quashed and Judges have annulled convictions, so that no Magistrate tries to proceed with any cases.

31300. So there are local difficulties in the way?—Yes, entirely so.

31301. You have already told the Commissioners that the difficulty was not from writs of *certiorari*, but that the Government was afraid to enforce the law?—The Government does not spend sufficient money or expend sufficient energy or employ a sufficient number of officers to put down the illicit traffic that prevails under the present law.

31302. Is not the public the representative of public opinion, and is not the Government controlled by that opinion?—The Government has followed public opinion as far as it suited itself.

31303. Do you think this a question on which people will not follow up their opinions with their votes?—That no doubt applies to the people of Winnipeg. If the Attorney General would employ officers to thoroughly enforce the liquor license law, I believe the Government's action would be approved.

31304. Do you think the people of Manitoba to-day are prepared to support the enactment of a law that would prevent the manufacture, importation and sale of intoxicating liquors for beverage purposes?—No. We would require, in the first place, to have our present law enforced for some years; then such another law as you have indicated would follow naturally.

31305. Would you favour the other law yourself?—It might be a great blessing to the people.

31306. Do you think a prohibitory law would be advisable?—It would be a great blessing to the country in the future, but I question the advisability of introducing it at the present moment.

31307. You do not think it practicable at the present time?—Quite so.

31308. In case such a law was passed, would you favour the payment of compensation to brewers and distillers for their business being destroyed by the enactment of such a law?—I certainly think vested rights should be protected, but at the same time such a law seems to me to be impracticable. At the present time convictions are quashed and prosecutions are paralyzed. In the North-west Territories, where I am a Magistrate, I will be obliged to discontinue allowing prosecutions to be instituted. I am perfectly certain that they would be quashed on writs of *certiorari*, and friends of mine have asked me to indicate to them the lines on which to proceed.

31309. Have you considered the question of the enforcement of a prohibitory law, if one were enacted?—I think it would be impossible to enforce such a law, as the public mind is not ready for it. It would amount to nil. There would be strong measures taken at the outset to oppose it. The first step in my opinion is to see that the law in regard to the sale of liquor is observed, especially in regard to allowing liquor to be drunk on the premises during illegal hours, and in such cases the licensed victuallers should be fined and punished.

31310. What is your opinion in regard to the working of the prohibitory law in the North-west Territories?—It was absolutely nil, and there was more drinking done then than there is now.

31311. Do you know anything of the character of the liquor used?—The liquor was imported in kegs, and the people were in the habit of getting two or three gallons of whisky at a time, and they would drink it and remain like beasts for a day or two; and subsequently, for perhaps a month, they would not have any liquor whatever.

31312. Had you reason to suppose that the liquor was adulterated at that time?—I imagine that the whisky that went in was very bad.

31313-4. Do you mean that any of it was adulterated?—I imagine a great deal of it was, in the Territories.

31315-6. Mr. Tupper, I believe, was Inspector and issued licenses after the Act was passed?—Yes, the whole thing was a farce.

E. P. LEACOCK.



*By Rev. Dr. McLeod :*

31317. You think popular sentiment is not ready for prohibition?—No, but it is perfectly ready for the strict enforcement of a stringent license law.

31318. Do you regard the recent vote as an expression of public opinion?—I regard it as a vote which was largely manipulated for political purposes.

31319. I understand that, in your opinion, more liquor was drunk in the North-west Territories under prohibition than is the case now?—Decidedly so.

31320. How do you account for that circumstance?—The hotel-keeper is the best license inspector you can have. He will prevent other people selling in order to protect his own business, and he will endeavour to carry out the law in that respect. Of course he is endeavouring to carry on a respectable house, and if there is illicit sale going on, he will endeavour to suppress it, and if necessary, he will lay information.

31321. You have said that considerable quantities of liquor were admitted into the North-west Territories by permit and that some people would become drunk?—Yes.

31322. And then for two or three months they would not be able to get any liquor?—Not unless they happened to get a permit. In the old days when one person got a permit, every body knew it, and there would be a regular jamboree when liquor arrived. After that time owing to difficulties of transportation, it did not frequently come in; but recently I am told—I do not know this from my own knowledge—that in every place in the Territories more whisky was to be had before the railway reached there than there is now. Mr. McDonald, the member for Lethbridge, who is a total abstainer, told me that it has been different since the license law came into force, and he stated in the Assembly the advantages of the License Act.

31323. You know that of your own knowledge?—I know that in the Territories there is much less drinking now. As the license law has only been in force two or three months, I am not in a position to compare it with the prohibitory law. Under the permit system the people brought a large quantity of liquor at one time into the country, and the people gathered together and drank it.

31324. You think there is much less drunkenness now? Do not the people drink regularly, whereas before they could only get it occasionally?—No. You could account for that very much on the principle of the little boy stealing apples. They have no trouble in getting it now, and consequently they do not bother their heads about it. The whole fault is that the license system in Manitoba is not enforced. There should be vigilant officers to properly look after the enforcement of the law, and if there were such officers public sentiment would be absolutely favourable to them. It is undoubtedly favourable to a severe license law, which would not let off offenders with low fines. Public sentiment is in favour of a stringent license law and is not in favour of giving trivial punishments to persons who will sell liquor to drunkards for example, or allow men to remain in bar-rooms until they get drunk. There is a strong feeling that parties should be severely dealt with for these offences.

31325. You are interested in the license law; is the license law that I referred to a while ago the license law you prepared, or that Mr. Tupper prepared?—It is the one, very much modified, adopted by the present Government, with many restrictive clauses taken out.

31326. It is the law which Mr. Tupper prepared? What Mr. Tupper prepared was the Act which I, as Chairman of the Committee, revised.

31327. I understood that there were certain amendments made by yourself or some one else later?—There were amendments made by myself. Mr. Tupper drafted the bill, which was prepared from the McCarthy Act and also the Ontario Act. I took that Bill and very much revised it, in regard to clauses providing for prohibition in certain cases and other clauses of that description; of course, I changed it very considerably.

31328. Is it the Provincial Act you are considering?—The present Provincial Act. It was changed by the Conservative party in 1887, but at no other time. Mr. Hamilton, who calls himself a total abstainer, was Attorney General, and he was forced by the licensed victuallers to amend the Act very much.

31329. Since then it has been amended several times, each time in favour of the licensed victuallers?—Yes, absolutely in their favour. I shall send the Commission a pamphlet which I prepared in connection with the amendments I read to the committee. I may say that the Act has been practically spoiled.

31330. You believe that eventually the country will be ready for prohibition?—I believe that eventually, in years to come, we will have prohibition, for public sentiment is growing that way.

31331. And the rigid enforcement of the license law represents that feeling, in your opinion?—Yes; and when prohibition does come it will be a blessing for the country. Public sentiment is ripening and is tending towards it, and at the same time we feel that the first step has been taken to prepare for that result.

The Commission adjourned.

WINNIPEG, October 25th, 1892.

The Royal Commission met this day at 10.30 a. m.

*Present :*

JUDGE McDONALD.

REV. DR. MCLEOD.

ALEXANDER McDONALD, of Winnipeg, Mayor, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

31332. I understand you are Mayor of Winnipeg ?—Yes.

31333. How long have you resided in this city ?—Twenty-one years.

31334. How long have you been Mayor ?—Since January last.

31335. Were you an Alderman before that time ?—I was an Alderman in 1887 and 1888.

31336. Is the Mayor elected by the people ?—Yes.

31337. Is he elected by the direct vote of the electors ?—Yes.

31338. Of course he presides over the City Council ?—Yes.

31339. Has he other duties to perform as chief executive officer of the city ?—Yes, he is Chairman of the Police Commission.

31340. I suppose he is called upon to exercise general supervision over municipal affairs. Of course when the Council is not in session, he has many matters on which he can act on his own responsibility ?—Yes, in cases of urgency, but we have not many such cases.

31341. I believe in business you are a wholesale grocer ?—Yes.

31342. There has been a large development of trade in the city, I understand, during the last twenty-one years ?—Yes ; our present population is about 30,000.

31343. What was the population when you came here ?—About 4,000.

31344. Was it still called Fort Garry, or was it known as Winnipeg ?—The Old Fort was called Fort Garry, and up at this end it was called Winnipeg.

31345. During the years you have been here, have you noticed a change in the social customs of the people in regard to drinking habits ? Do you think there is as much liquor proportionately used as there was in the earlier days of the settlement ?—I think about the same proportionately.

31346. What regulations had you in those days in regard to the sale of liquor ?—I really do not know.

31347. Was there a license law in force ?—I think there was no restriction as to the sale of liquor ; or if so, it was very slight.

31348. All liquor came in at 25 cents per gallon duty under the old Dominion law, did it not ?—I think there was a license of a small amount, but I forget the sum. There were only two or three hotels here at that time.

31349. The traffic was not at all under such restrictions as it is to-day in the way of a License Act, limiting the hours, and everything of that kind ?—No.

31350. During the years you have been here, has there been an advance in the community in the direction of temperance sentiment and so on. Have temperance organizations obtained a foothold here ?—Yes.

31351. And they, of course, are carrying on their work ?—Yes.

31352. Are you as Mayor, a member of the Board of License Commissioners ?—No.

31353. Have you studied the working of the license law ? We will take the mode of obtaining a license, in the first place : does your law require a certain number of sig-

natures to an application for license?—Yes, a certain number of the nearest neighbours are required to sign.

31354. In regard to that branch of the subject, are there any amendments you could suggest that might be advantageous as to the working of the Act? I think it is fairly satisfactory.

31355. Take the license law itself: how do you find it is observed by the men engaged in the traffic; does it appear to be fairly well observed, for instance, as to the prohibition of sale on Sunday?—No, I am sorry to say it has not been enforced very well in that respect until very recently.

31356. Then there has been sale on Sunday to a certain extent?—Yes; but I think the law has been more carefully observed during the last week or two.

31357. Are you troubled in regard to licensed houses selling to people under age?—I am not aware of it.

31358. Are you aware of sale to minors?—No.

31359. We understand that under the present law the sale of groceries is separated from the sale of liquor, that groceries are not allowed to be sold in the same room? Not in the same building.

31360. Do you think that is a wise provision?—Yes, I think it is a wise provision.

31361. Have you studied the question of high license? I have given the matter a little consideration.

31362. The theory put forward at some places where the Commission has sat is, that a high license would limit the number of licensed places, and that a small number only would be licensed; and it is contended by some that this would lead to those places being made more respectable, and that the very fact that the proprietors of those licensed houses would have to pay a high license would cause them to prevent illicit sales. Have you studied the question in any of these aspects?—I have given it a little consideration, and I approve of high license for the reasons you have just stated.

31363. Have you paid any attention to the question of the adulteration of liquor sold?—No.

31364. Would you favour in connection with a license law such as I have indicated, a rigid inspection of liquors, to ascertain that those sold are pure. This theory is put forward also, that where there is a high license there is a temptation to sell cheap compounds, so that a man is more easily recouped for his outlay. Then, again, where there is prohibition: owing to the risk of seizure of liquor, a man does not want to keep an expensive stock on hand, but he has cheap stuff compounded to sell. It has been contended that one of the results of high license would be that it would lead to the selling of poor liquor; and I understand you would favour a rigid inspection in order to insure the sale of pure liquor?—If I thought there was the slightest danger of liquor being adulterated, I would certainly favour inspection.

31365. Have you noticed, in your experience here, whether the liquor trade has had any effect on business generally, and if so whether injuriously or otherwise? I could not say that I have noticed that it has had any effect on business one way or the other.

31366. In what part of Canada did you reside before you came to this city?—I was three years in Seaforth, Huron County.

31367. Was the license law in force there?—Yes.

31368. Have you noticed whether there is much illicit sale in this city; I mean sale by unlicensed people?—I do not think so, I have not noticed any.

31369. Have you any reason to suppose there is any?—I have no reason to suppose there is any.

31370. Have you considered the question of the treatment of the persistent drunkard? We find that in some places where the Commission have sat, there are men who get drunk continually and who are sent to jail for short terms, and as soon as they are out they are sent back again. It has been suggested that a system should be adopted by which such persons should be shut up until they had been cured of the habit. Would you favour such a system rather than that at present followed of sending these people to jail for short terms? Have you considered that question at all?—No.

ALEXANDER McDONALD.



31371. What provision is made in this city, or has there been any provision made in the way of public parks for the people?—There has been no provision made in that way, except a private park owned by Mr. Austin of the Street Railway Company; it is at the south end of the city. Then there is an Exhibition ground near the Canadian Pacific Railway, at the north end.

31372. Are any entertainments provided for the people there?—No.

31373. Are there no gardens or anything of that kind, and are no entertainments given?—No, except such as are prepared by societies.

31374. Are there games of foot-ball and so on?—No, there are picnics.

31375. Are there no entertainments provided at the Exhibition Grounds, nothing in the way of gymnastics, and is there no admission fee charged?—There is the Winnipeg Industrial Exhibition held once a year, and a fee is charged for admission.

31376. Then there is nothing provided in the shape of entertainments during the summer at Austin Park?—Not so far as I know.

31377. The reason I ask is, because in Montreal people are agitated about Sohmer Park, with a license granted in connection with it. They have a large pavilion there, capable of holding 7,000 people, and they furnish entertainments, including songs and music and so on, and people go there who would otherwise resort to saloons, and they get the fresh air and enjoy themselves. Have you considered the question of providing such a place for your city?—No, we have never considered that question.

31378. Perhaps your population is not sufficiently large to render such a park necessary?—The matter has not been brought up for discussion. The question of parks has been discussed, not because we are in need of them at the present time, but simply because we desire to provide for the future, and of course this is the time when we should provide our parks.

31379. Your air is so fresh and pure yet that you have no need of open spaces such as are required by large cities in the east?—No, our population is not crowded, but is pretty well scattered over a large area.

31380. Have you considered the question of the advisability of encouraging the use of light wines and ales, and doing away with the use of strong liquors as a stimulant?—I have thought the matter over a little, particularly in connection with my experience in the North-west when the Government allowed 4 per cent beer to go in there. I do not think from what I have seen that there is much to be said in its favour.

31381. Then you have had experience in the North-west Territories?—Yes.

31382. Have you had experience in any other country where prohibition is enforced?—No.

31383. Will you state your experience in the North-west?—I have done business in the North-west Territories at least fifteen or sixteen years at different points, and the effect of prohibition there during the first eight or ten years was I think very good, and in the interest of the country, because the law was carried out, so far as I could judge, to the letter. Of course recently they became more lax, and within the last four or five years I think the law was not enforced at all, in fact I know it was not. I believe that in view of the condition of affairs that prevailed, it was much better to drop the permit system and adopt the improved system which now prevails.

31384. During the first few years of which you have spoken, did you travel extensively through the North-west?—Yes.

31385. Did it appear to you that the law was properly enforced there? Did you notice any drinking at all; did you ever see drunken people in those days?—When the permit system came in, the people drank at once; but I believe very little liquor went into the Territories during the first eight or ten years after the mounted police went there, except, of course, by permit.

31386. Do you consider a prohibitory law advisable for the country as a whole?—Personally, I am in favour of it.

31387. Are you in favour of national prohibition?—I am in favour of practical prohibition.

31388. Do you consider it is practicable at the present time to carry out such a law?—I do not see why it should not go.

31389. You think it would be practicable?—I think so.

31390. How would you propose to enforce the law? Would it be by having a force similar to the North-west Mounted Police?—Not exactly Mounted Police officers, but officers to carry out the law, the same as we carry out any other law.

31391. But you are, no doubt, aware that other laws are enforced by either municipal or provincial officers, that different bodies look after their own municipal affairs. Would you have this work done by the same officers?—I could not say; I have not gone sufficiently into the question to be able to state what machinery would be necessary to carry out the law.

31392. Do you consider that in connection with such a law and its enforcement, it would be necessary to have a very large majority of the people in favour of it. In other words, take such a law as that which we are discussing, do you believe if 59 were in favour of it and 49 against it, you could very easily enforce it?—That would be a pretty narrow majority.

31393. Some suggestions have been made in regard to what the majority might be, or rather as to what majority might be considered to be advisable, and some people have expressed the opinion that there must be a decided trend of public sentiment in favour of such a measure, much more than a bare majority, in order to make it a success?—I do not see why that should be necessary.

31394. Consider for a moment a vote taken on this question. Your province would probably vote strongly in favour of a prohibitory law; the Maritime Provinces would also probably vote in favour of it; but the Province of Quebec might vote against it; Ontario might be divided or hold the balance; British Columbia might give ten to one against it. Could you hope to enforce a law with great success when it came to be applied to all the provinces if carried in that way?—There would be more difficulty on the Pacific coast.

31395. Could you hope in a community recording a vote of ten to one against a law, to be able to enforce that law, strictly?—I think so.

31396. To sum up the matter, you are favourable to the enactment of a prohibitory law for the Dominion, a law prohibiting the manufacture, importation and sale of intoxicating liquor, provided the people were in favour of it?—Of course unless the majority of the members representing the people in the Dominion were in favour of such a measure, it could not be passed.

31397. I mean the enactment of such a law. But perhaps you would favour a plebiscite for the Dominion on such a question?—You have stated that one province might be very much against such a law, and another province considerably in favour of it. I should not like to answer the question as to whether or not it would be desirable for the Dominion to pass such an Act at the present time, without ascertaining first what was the feeling of the people of Canada as a whole.

31398. From your study of this subject, would you favour a resolution being adopted which would allow each province to act for itself on this question?—No.

31399. Then you would either make it a national question or not at all?—Yes, because I do not think the province could very well enforce the provisions of such an Act.

31400. Why?—It would be much more difficult to enforce it. The law should be passed by the Dominion Parliament for the Dominion.

31401-2. You have really, then, not worked out in your mind any definite scheme or plan you would adopt in dealing with this matter?—No.

31403. Are there any suggestions, drawn from your experience, you can offer to the Commission in regard to any matter connected with this inquiry that you think would be of benefit?—No; I have not given the matter sufficient consideration to venture to make any suggestions.

31404. Supposing such a law were passed, a prohibitory law, doing away with the manufacture, importation and sale of alcoholic liquors for beverage purposes, should compensation be given to the brewers and distillers for loss of plant and so on?—I think as we have licensed the manufacture and sale of intoxicating liquors, it would be only right that those persons should be compensated for any loss they might sustain.

*By Rev. Dr. McLeod:*

31405. You have stated that the license laws have been better observed in Winnipeg recently. To what do you attribute the better observance?—The question as to the enforcement of the License Act was brought up early this year, and the Deputy Minister of Justice stated that the duty belonged to the city. The Board of Police Commissioners claimed that it rested with the Department of Justice, and there has been a good deal of correspondence in regard to the matter, and recently we have been pressing it. I think probably the result has been that the License Commissioners, who I believe were enforcing the law here, have been looking more carefully after the violations.

31406. I was told that last Sunday and during a good part of the week, all the hotels were closed up at a proper hour in the evening and closed on Sunday which I understand has not been the case before. Then the attempt to secure better enforcement has done good?—Yes, it has done good so far.

31407. Do you believe that if an honest attempt were made to enforce the law, it could be enforced?—I do not think there is the slightest trouble in carrying it out, except in some special cases.

31408. You have spoken of your experience in and knowledge of the North-west Territories, and I think you stated that during the early years of the prohibitory law, it seemed to produce a very good effect indeed?—Yes.

31409. But latterly I understand it was not so well enforced. Did it lose its enforcement about the time of the introduction of the 4 per cent beer?—I think the non-enforcement began before that; that is to say, that permits began to be issued indiscriminately.

31410. That non-enforcement kept on increasing, I suppose, and the railway passing through the country, no doubt helped the non-enforcement a good deal. Do you think it would have been better, if instead of resorting to the granting of licenses, an honest effort had been made to enforce a prohibitory law in the Territories, such as that in force in the early years. Do you think the granting of licenses produced a better state of things than the former system, because the permit system permitted liquor to go in everywhere. Do you think it would have been better to have more rigidly enforced the law?—I do not know whether with the extent of territory you have there, and with liquor all round it, you could have carried such a law out successfully at the present time.

31411. The law was, as you have stated, very well carried out in early years?—The territory was large and the number of people in the country was very small. I now speak more particularly of the northern section. I believe a good deal of liquor was brought in from the south, it being smuggled; but in the Saskatchewan district, at Edmonton, Prince Albert and Battleford, I believe the law was carried out almost to the letter. I have no doubt prohibition could be fairly well enforced to-day, although probably not as well as in early days.

31412. I suppose a large population and railway facilities, which make transport easier, make a great difference; but I understand you believe that with proper officials and proper attention to the law, it could be fairly well enforced even now?—It could be fairly well enforced.

31413. Do you think that during the years there was enforcement, it was a great benefit to the country?—Yes.

31414. Was the plebiscite in Manitoba a very emphatic expression of the opinion of the people on the question of prohibition? Do you think people were really in earnest in voting for prohibition?—I think so.

31415. We have had it in evidence that they did it for fun; and of course as you have been in the country a long time as a resident and are well acquainted with the people, I thought I would ask you whether you thought the people meant their vote on this question to be a sort of joke?—I think they meant it.

31416. Did not Winnipeg give a very large majority in favour of prohibition?—Yes.

31417. Would that seem to mean that the people of Winnipeg are decidedly opposed to the license law, and that a large majority of them are in favour of prohibition?—I should say so. There is not any difficulty in enforcing the license law in Winnipeg.

31418. I understand that a large majority are opposed to it?—No, not at all.

31419. Do you think it would be more difficult to enforce a prohibitory law in a community where a majority of the people were against that prohibitory law?—I do not suppose that even if a majority were against it in a small community, the law could not be enforced all the same.

31420. So far as your observation goes, you believe that when there is a law enacted and proper officials appointed for its enforcement, it does not depend very much on public opinion for its enforcement, but that it is a matter resting with the officers?—It rests more with the officers.

*By Judge McDonald:*

31421. Has an effort been made yet in Winnipeg to have the Scott Act carried?—No.

31422. Being a city, of course you have a right to have the Scott Act voted on and put in force if you desire; and as you have stated to Rev. Dr. McLeod that there is a very large majority in Winnipeg in favour of prohibition as shown by the recent vote, would you be favourable to giving prohibition a trial, by taking the means now within your power to adopt the Scott Act, without waiting for any application whatever to be made to the Legislature or the Dominion Parliament?—There have been no efforts made so far, and I do not think that all those who voted for the plebiscite would necessarily support the Scott Act, because many, no doubt, voted on that question as giving expression to their views on the question of prohibition.

31423. Is not the Scott Act prohibition?—Only to a limited extent, not distinctly so.

31424. Do you take it that this vote in the province was for the province or for the Dominion?—I take it that the vote was for the province, and expressed the views of the province clearly.

31425. Why should you not, when you are favourable to prohibition, use the means at your command as a trial, at all events?—The vote that was taken has had not the slightest legislative effect that I am aware of.

31426. May it not have had some effect on the minds of the legislators in moulding their action, and yet at the same time you have, when you choose to exercise it, the right to adopt the Scott Act without the favour of the Legislature?—We cannot submit the Scott Act to the people.

31427. You may have prohibition for a period of three years if the Act is adopted, and if it is then a success, you can continue it in operation, and if it is not a success, you can get rid of it. Has there been the slightest agitation amongst the people in favour of carrying the Scott Act?—I think the temperance associations made some move in that direction a year ago.

31428. I mean since the plebiscite was taken?—No move has been made by them.

31429. Is it your opinion that the people favour some larger measure?—I take it that they endorse a larger measure.

31430. In taking this vote, was any question of machinery or mode of crystallizing the sentiment of the people into an Act of Parliament submitted to the people, or was it a bare vote for or against prohibition?—Yes.

31431. Then the method of prohibition was not submitted?—Not so far as I know.

*By Rev. Dr. McLeod:*

31432. You are an employer of labour, I believe?—Yes.

31433. Do you employ labour to any considerable extent?—Yes.

31434. Have you any rule which you apply as regards the drinking habits of your men in selecting employees; do you give the preference to men who are drinking men?—I think my men, although I never asked them the question, are all temperate, but I do not say they are total abstainers.

31435. Having to select employees, and choose between men who are habitual drinkers and those who are total abstainers, would you give the preference to abstainers?—I would not have an habitual drinker.

31436. He is less valuable to the employer?—Yes, and I have had a good deal of experience on that point.

ALEXANDER McDONALD.



31437. Does the drink habit affect the wage-earning power of employees, in your opinion?—Yes.

31438. Have you noticed whether a man having the drink habit loses more or less time on account of the habit?—Yes, he loses time.

31439. Employers claim that they lose by men being idle on account of their drink habit, and not alone because they drink, but because the drink habit makes them irregular at their work?—Employers say that some kinds of work are interfered with because when one man drinks, a gang is sometimes broken up and work is hindered.

31440. Have you observed whether it is true that the drink habit not only interferes with the man himself, and causes him to lose wages, but that it also interferes with other men who are engaged in the same gang?—In my case I have had some trouble, but it has only affected the man himself and not the rest of the men.

31441. Did it affect your business undertaking?—Yes.

31442. As a business man, have you noticed that the drink trade has an injurious effect on other branches of business? Have you noticed that the men are able to purchase less of other articles because they drink, and that they are poorly paid because they drink?—I could not say so from personal observation.

31443. Some business men claim that men with the drink habit are more poorly paid than if they had not such a habit, and that they suffer from this drawback in addition to the money they waste on drink?—To a certain extent they lose money, which they would otherwise spend in other lines of trade, but to what extent it affects business, I cannot say; though if they took the money spent on liquor, they could well spend it in some other direction.

*By Judge McDonald :*

31444. What do you mean by an habitual drinker?—A man who drinks steadily, probably not always to excess, or a man, as I have seen them, who will not taste liquor for months and then go off and get on a spree for two or three weeks at a time.

31445. Take a man who drinks a glass of ale every day at his dinner; do you mean a man of that kind?—No.

31446. You mean a man who either habitually drinks to excess, or occasionally drinks to excess and goes on a spree. A man who occasionally drinks to excess and goes on a spree and is away from work for some time, or a man who starts in the morning to drink three or four glasses of liquor during the day, and keeps up that habit?—Yes.

31447-8. But by the drinking habit you mean such habit as is the habit of men you speak of?—Yes, that of a man who takes liquor in excess, or if not taken to excess, takes three or four drinks from time to time. In such a cases their appetites have possession of them, and it is only a question of time till they go.

JAMES L. STEEN, of Winnipeg, on being duly sworn, deposed as follows:—

*By Judge McDonald :*

31449. What position do you occupy in this city?—I am President of the Winnipeg Board of Trade.

31450. How long have you been a resident of Winnipeg?—I have been a resident of this city for 11 years.

31451. How long have you been President of the Board of Trade?—This year only; the election goes by rotation.

31452. In what line of business are you engaged?—I am a printer and publisher.

31453. Of a newspaper?—Of a purely trade journal.

31454. How long have you been engaged in the business?—Ten years or a little over; ever since I came here.

31455. Did you come from any other Province of Canada to Winnipeg?—I came here from the city of Chicago; I never lived in Canada before coming here.

31456. Have you observed the working of the liquor law in this Province?—I have not given any particular study to the working of the liquor law myself.

31457. Then you are not in a position to state whether its provisions are well observed or not?—I could not say as to its details, because I have never watched them so closely as to know what the details of the Act are.

31458. Are you able to express an opinion as to whether the Sunday provisions are well observed or not?—I could not say; the fact of the matter is, I am not where liquor is sold on Sunday.

31459. Then you have no knowledge on that point?—On that point I could not give the Commission any information.

31460. As a business man, are you in a position to know whether the traffic affects the business affairs of the community, injuriously or beneficially?—That is a pretty wide question. I have known many individuals to whom the excessive use of drink has done harm. No man can deny that fact. I have seen a number of individual cases where men have caused themselves a great deal of injury by the excessive use of liquor in business, but when it comes to cases of bankruptcy, I have known that in five cases out of six where whisky was blamed for everything, whisky was the result of the man's ruin commercially.

31461. Have you ever considered the question of the treatment that would be advisable for the persistent drinker?—I am not a medical man.

31462. You are aware that there are many men who go to jail for short terms and after being released, are shortly afterwards again committed. Should there not be some method adopted by which these people could be sent to some institution to be cured or kept out of harm's way?—I am not a medical man. The man who ruins himself with liquor is more or less a maniac. We all have our weak points, and that undoubtedly is the weak point with certain men; they are more or less maniacs on that point. As to advising a certain course to be taken in regard to their treatment, the decision of that question needs a wiser head than mine. The mode of treatment would require to be varied according to the temperament.

31463. Have you studied the question as to the advisability of encouraging the use of ales and light wines and doing away with heavier drinks, such as spirits?—I can only speak for myself. I shut down on ales and light wines and such drinks, and now take straight malt whisky if I drink anything, well diluted with water. It is safe liquor to drink. I believe in regard to other liquors that substances are used to cover up their adulteration, and that these compounds are most villainous adulterations.

31464. Then you believe there is much adulteration among the drinks used?—I think there must be and there certainly is. Looking at the Blue Books I receive from time to time from the Inland Revenue Department, I notice as regards spirits, that there is comparatively little adulteration, while in wines there is considerable, and even still more in connection with teetotal beverages. Those are the facts I gathered from the Blue Books issued by the Inland Revenue Department.

31465. Have you had any experience of the working of a prohibitory law?—I lived in the State of Iowa for a few years, which is under a partial prohibitory system, and the Legislative body now in power in the State was elected under the partial prohibitory system in force there.

31466. How did you find the system work?—So far as prohibiting drinking is concerned, the success has not been so great as it was under license. They are law-abiding people, and of course that circumstance would contribute to the success of any means. The actual state of affairs was decidedly opposed to the success of the measure. I had a very marked instance about fifteen months ago, when a brother-in-law of mine who resides in Iowa paid me a visit, and stayed two or three weeks with me. I may say that I had gone in with the prohibition party myself before I left there, because the roughs and toughs as a body are opposed to prohibition, whereas the respectable party are on the prohibition side, and therefore I went with them. My brother-in-law has worked strongly with the prohibition party for thirteen or fourteen years. His parting words with me on leaving were: "I think Prohibition is a huge blunder." That was his verdict. He said to me: "I have looked for a drunken man since I came to

JAMES L. STEEN.

Manitoba, and have not seen one yet." He went on a steamboat excursion on the Red River when there were 300 people on board the boat, and he said: "In prohibitory Iowa we would have 25 or 30 people drunk, and at least a dozen fights on board."

31467. And here what did he find?—Here all was peace.

31468. These are the opinions he expressed to you?—This was his expression of opinion after living in Iowa and remaining here for three weeks, principally in the city of Winnipeg.

31469. In regard to the question of prohibition, then, do you think it would be advisable in the best interests of the community to have a prohibitory enactment, an Act prohibiting the manufacture, importation and sale of alcoholic liquors for beverage purposes, passed by the Dominion Parliament?—I think it would be a piece of the most unmitigated folly to have such an Act passed. While I believe there are sections of the Dominion in which prohibition could be carried out with profit, I am enough of a business man to see the folly of such a proposal, especially a measure which would reach from the Atlantic to the Pacific.

31470. You think there might be special communities where, owing to the local sentiment and local action, such a law might be carried out?—I have seen such to be the case in Iowa in the town of Grennel, where the clergy and the people generally were overwhelmingly in favour of prohibition and the total extinction of the traffic. Prohibition worked right enough, but in Dubuque, Davenport, Marshalltown and Des Moines, although the Local Legislature had legalized prohibition; those engaged in the trade did not mind incurring the risk of sale; in other words, as regards large cities, the law was a dead letter.

31471. Did the Legislature pass a prohibitory law?—Yes, and they have hung strongly to it. While it was a dead letter in the places I have named, it was carried out in Grennel and Ames and in other places where it was altogether unnecessary and where the people did not really require it.

31472. Are there not some places where a prohibitory or temperance law is not necessary?—Yes, usage is stronger than any law you can pass.

31473. What is the effect on the public conscience of having a law on the statute book which is persistently, constantly and flagrantly violated; is the effect for good or for evil?—I do not think it would elevate the people's idea of law and order.

31474. Supposing such a law were to be passed in Canada, a law prohibiting the manufacture, importation and sale of intoxicating liquors for beverage purposes, do you think remuneration should be made to brewers and distillers for their plant?—I think we have had a very good example in the bill passed by the British Parliament lately, in which the men who are engaged in the trade were to be indemnified.

*By Rev. Dr. McLeod:*

31475. As a man having to do with the business affairs of the country, and conducting a trade journal, have you noticed whether the drink traffic, as such, injures business, interferes with industry, affects agricultural interests, home life and the family interests of the country?—I will take the last first. Regarding the family interests, I was a bachelor until recently and I can say very little about family affairs. Regarding business affairs, I do not know whether a man is a moderate drinker or a teetotaler until I have known him for some time. In this city to many business men the bar-room is useless in business.

31476. Was it at some time useful?—It was made use of. I do not know whether it did good in the boom days, when everybody lost his head. There were a great many people frequently in the bar-rooms drinking, including some of our business men. Now however, matters have got down to business, and it is seldom proposed to go to the bar.

31477. To what do you attribute this change?—Men are getting down to our business ideas.

31478. Then you include the avoiding of bars?—Yes, during business hours. Of course a man may be boarding in an hotel. I have discovered since I became a family man that on certain week days it is better to take lunch down town, and I take a glass of beer or claret the same as I do at home.

31479. Still you think that when the bar was used as an adjunct to business, it was not a good thing for business?—It was not.

31480. You consider the change that has taken place is important?—The change has gradually come about among business men. They resort to bar-rooms less. Very few of our business men are seen there.

31481. So the using of bar-rooms is an injury to business?—When carried to extreme it is an injury to business, most decidedly.

31482. Have you observed how the liquor trade affects the other industries of the country?—I should say that the brewing trade, for instance, is quite a valuable industry to this city, so far as the employment of labour is concerned.

31483. Do you think the patrons of the product of the breweries are more valuable employees than those who do not take it?—I have had men who took drink, and also men who did not, and I could not tell one from the other. The most faithful man I have, one who would do almost anything for me, takes his drink every day.

31484. And I suppose you have others almost as faithful who would not take a drink under any consideration?—Yes; I do not know the difference between them.

31485. Do you believe the industries of the country other than breweries and distilleries are affected injuriously or beneficially by the drink trade?—There are cases of individuals who run to extremes in the use of intoxicating drinks, whether connected with industrial business or anything else, and their business must prove an entire failure.

31486. Have you noticed whether the agricultural interests are affected injuriously or beneficially by the drink trade?—I cannot say I have noticed it. I am not a farmer myself.

31487. Have you noticed whether farmers are injuriously or beneficially affected by the drink trade?—You must judge by the class of people whom you find under the influence of liquor. I know no class of men of whom fewer are affected by liquor than our farmers coming to town, especially considering the great temptations to which they are exposed and the long distances they travel on cold days. I am often astonished to see how very few of them are ever seen intoxicated.

31488. Does that mean that the traffic does not injuriously affect the farmers because they avoid drink?—Yes, to a great extent.

31489. You spoke of family life: have you noticed whether family interests are affected injuriously or beneficially by the drink trade?—I know so little about family life that I can give very little aid on this subject. If you ask me about mercantile affairs, I am posted, and I can tell you something about them. I have been a family man only since March last. I had a home, but there was no one there except my father. I have never been a social man and have not gone into society. I have never been a Club man or anything of that sort, and I have had a poor chance of judging of the social effects of the traffic.

31490. So you have not noticed these points particularly?—My evidence would have very little value on these points.

31491. You have taken an interest in the mercantile affairs of the community?—Yes.

31492. I think you have stated that you have observed men resort to whisky when they had become ruined commercially?—Yes.

31493. Have you noticed that the whisky habit has in any degree contributed to their rottenness commercially?—Four or five out of every six run to whisky after their affairs become in a rotten state; when I have enquired into their affairs, I have found that out.

31494. Would it be true that one-fifth become ruined commercially by the whisky trade?—I would not say that, but there is a proportion of men in business who have been more or less addicted to the habit, and whose want of success in business can be more or less attributed to the excessive use of liquor.

31495. Take Winnipeg, where I judge you have had several years' experience, and where you appear to be acquainted with commercial matters, do you remember the boom days?—Yes, I remember them pretty well.

JAMES L. STEEN.



31496. I suppose there is a marked rise and fall here among men in business. Have you noticed whether a large proportion of those who have gone to the wall were men who were incapacitated in some degree by the whisky habit?—Yes, many could no doubt trace their downfall to liquor and to liquor only.

31497. Was it a factor in their downfall?—I could not tell you; 95 per cent of those who went under the first five years I was here, went under through reckless speculations. They would have done so if there had been no whisky here, or if no whisky had ever been made.

31498. Were the causes related to each other?—Probably so, but whisky was the smaller.

31499. Do you think the whisky trade continued the craze of the boom days?—No, I do not think so.

31500. I am told that wine flowed freely and that champagne was used, and that whisky and the like were practically ignored?—I saw the boom in all its grandeur. I went about with a satirical laugh thinking what fools were around me. I did not put a dollar in real estate, though I drank pretty freely, very much more than I have since. I repeat that I never put one dollar into speculation.

31501. You have spoken about the evils of excessive use of liquor: do you think it is well to establish a business which provides facilities for, what you may call making maniacs of men?—If a man is determined to become a maniac, he will find the means. I never saw a barrel of liquor go down a man's throat and make a maniac of him. My experience is in commercial affairs, and if a man is determined to have liquor he will find some means of getting it, and if he cannot obtain liquor, he will obtain something else.

31502. Is the fact that a man is determined to use liquor and will find means for doing so, a reason that the State should provide the means?—I did not say that the State provides the means.

31503. Or the facilities?—No. It is just like this: it is a question as to which is the best means of dealing with this question; whether it is not better to afford facilities for a man to obtain liquor or not. In my opinion you cannot obtain any better means of dealing with it. If that is the question, I must say I have never given it sufficient study. My brain has been taken up with too many other things to study such a question as that.

31504. You have spoken of teetotal beverages and their adulteration?—Coffee is one.

31505. You say they are very seriously adulterated?—Yes.

31506. Are any others adulterated?—Yes, all the cordials and stuff of that sort. I noticed particularly in one of the Blue Books to which I referred that there was a great amount of adulteration. In one Blue Book which dealt with Toronto, I noticed that not a single specimen of coffee was pure. The same Blue Book stated that the adulteration of some foreign spirits was trifling and some spirits were not adulterated.

31507. You have spoken about prohibition in Iowa. How long have you been here?—I came here 11 years ago or a little over 11 years, and I went back to Iowa for a few months to fix up my affairs. I lived a few months down there, and I came back here again and got started in the summer of 1882. I got right down to business in 1882, but I was here the year previous.

31508. Then your observation of prohibition in Iowa would not be practically observation of the statutory prohibition but of partial prohibition?—I saw it when I was back at that time.

31509. The prohibition enactment, I believe, was not enacted until 1884?—I saw it when I went back. I had been travelling backward and forward. I was down at the time they were canvassing for that Act.

31510. Do you think a casual visit is sufficient to enable one to form a correct opinion on such a question?—I did not see a bit of change. I saw places in Iowa, when prohibition was in operation as they were before.

31511. You saw the law violated, as I suppose all laws are violated more or less?—I do not mean to say that any law is very thoroughly observed in a community; if it was so, there would not be a necessity for any law whatever.

31512. Is it not true that in some communities the law is better observed than in others?—Yes.

31513. Does it follow that although such a law may not be well observed, it is necessarily a failure and should be repealed?—Taking the evil effects of liquor, and all the vile poisons that were sold there for liquor, all the evils that prohibition brought with it, it might be a question whether prohibition ever did any good or not.

31514. You have stated that you affiliated yourself somewhat with the prohibition party when you resided there?—I have worked with them in the civic elections.

31515. That was, I believe, because the roughs and toughs and bad people were arrayed on the other side?—On that occasion they were.

31516. Did it ever occur to you that the fact that the rough people and the bad people were arrayed on the other side was at all significant?—It may be so, owing to circumstances, such as railway building and one thing or another in the place.

31517. You spoke of your friend having visited you, and the fact that he did not see a drunken man in Manitoba during the three weeks he had been here?—Not three weeks.

31518. I only came to this city on Saturday night and on Sunday I saw three drunken men.—I did not see them.

31519. I was wondering whether there was a different state of things prevailing at the time of your friend's visit than there is now, especially in view of the fact that we have had the testimony of the Mayor that during the last five weeks, especially on the Sabbaths, the law has been better enforced than for a long time previously. In view of the fact of that better enforcement, and the fact that I saw three drunken men on Sunday, although I was not looking for them, I have been wondering if when your friend was here, the law was being better enforced than now? It was only a year ago last summer. I am pretty sure that there was no better enforcement of the law then.

31520. You have stated that in some sections you think a prohibitory law could be carried out. What sections would they be?—The sections would be those where prohibition would not be necessary on account of the character of those sections.

31521. Then it could be enforced where it was not needed?—Yes. For instance, I have travelled through the Territories a good deal, and you could not enforce prohibition in the Territories.

31522. Why?—They have been troubled with a law that is a farce. No doubt in a few years a portion of the Territories will return again to prohibition, Eastern Assiniboia for instance. Alberta you will never get to prohibition.

31523. Would that law be good or evil?—I do not know; if it pleases the people it will be all right; if not, it will be all wrong.

31524. Do you think that in these days benefit would result from a prohibitory law?—I do not think so. I believe that the state of the community shows that without interference of the law, it is as good as it would be under prohibition, and of course prohibition is unnecessary in that event.

31525. Is that true of other laws?—I do not know; I suppose it is. I have never investigated the matter in regard to other laws, but I suppose it is true of a good many laws.

31526. Is it true that where laws are observed they are not necessary, that the condition of the people is so good that the laws are superfluous? You say that a prohibitory law would be observed in certain places because the condition of the people is excellent?—It would be simply enforcing a law where it was unnecessary.

31527. But, of course, it would be observed in other places?—You must not run away with the idea that I say a prohibitory law or any other law is a failure because it is not strictly observed. You are trying to push me on that platform, but I will not go there.

31528. You said, in answer to Judge McDonald, that the effect of a law that was persistently and flagrantly violated must be very bad?—Yes; I say it would not elevate the people's respect for law. That is my answer exactly.

31529. Then your answer is that the violation of the law would not elevate the people's respect for law?—Yes.

JAMES L. STEEN.

31530. You mean the persistent and flagrant violation of the law. By all the people or by a section of the people—which do you mean?—I mean in a community. In my opinion a law that only certain people respect is powerless to reach the people.

31531. Is it, then, a violation of the law by the people or by a section of the people?—The influence extends to the people who break it, because the community combine with and conspire to defeat the law.

31532. So the law would be bad for that reason?—No, I do not think the law would be bad.

31533. Do you think the law is an educator?—I sometimes think it is. I remember I was in the State of Arkansas, where I remained over a week, and the number of drinking places was so marvellously decreased when the prohibition law was enforced, that I came to the conclusion that the law is an educator after all.

31534. If the liquor traffic is such a bad thing in its effects and there is a law against it, and it is persistently and flagrantly broken, do you believe that the law, together with all attempts to enforce it, has a bad effect on the people?—No, if the people are convinced that the liquor trade is wrong. You must first convince the people that the traffic is a crime.

31535. Does the law help to convince the people that the traffic is a crime?—Criminal law deals only with crime. You start with the assumption that the people are all convinced that the traffic is an evil. Some are and some are not, I suppose.

31536. Would the law strengthen sentiment in that direction?—I question if it would. The law can be made ridiculous by trying to enforce something against the wishes of the people.

31537. When you make that statement, do you mean against a section of the people that disapprove of the law, or do you mean the people as a whole? Of course it cannot be a law unless the people say it should be enacted?—Do you mean to tell me that the Blue Noses of Nova Scotia and the Forty-Niners on the Coast are impressed by you into one community. In Canada we have a thousand communities. The whole thing amounts practically to this, let every community pronounce for itself. The plan will work.

31538. Do you mean that each community should make a law for itself?—Most decidedly. I believe in the principle of local option, but that is very dangerous the way majorities are now.

31539. Winnipeg, for instance, on the recent vote by a large majority declared that the people did not want the whisky trade. Do you believe there should be a law delegating the whisky trade?—If the people believe it, if you have the *vox populi*, then you are right on the principle at once.

31540. Do you give evidence as President of the Board of Trade of Winnipeg?—I am giving my evidence as an individual. I have no right to drag in the Board of Trade. I have never asked an expression of its opinion, and I am not pretending to give the opinion of the Winnipeg Board of Trade. I am speaking as James Steen.

*By Judge McDonald :*

31541. In regard to the vote given in Winnipeg on the plebiscite: you are aware, no doubt, that Winnipeg may obtain prohibition within a few months by availing itself of the Scott Act. If the people are in favour of that Act, they have the right to adopt it for themselves and have it retained for a period of three years, and therefore the matter rests with themselves. Have you heard of any movement being commenced for the purpose of carrying the Scott Act in Winnipeg?—No.

31542. Since the vote was taken?—No. I have been absent from the city since the vote was taken.

31543. In regard to the question as to whether it is right for the State to make provision for supplying liquor to the people in order to make some of them maniacs: you are, of course, aware that a man need not make himself a maniac from this cause unless he chooses to do so?—Yes, and it is not necessary for the State to supply the means at all.

31544. Have you ever considered this point, whether if a hundred people desire to purchase a certain article, and one man abuses that article, whether the rest of the

hundred should be prohibited from buying it?—I should think it would be a very great hardship to a great majority. That is the objection I have to prohibition. It reminds me of the days of religious intolerance, when a certain number of people were so perfectly good they desired to compel others to be good; but those ideas are laughed at nowadays. At the present time a great many good and Christian people practise the same kind of intolerance. On the other hand, it must be remembered that if questions are to be decided by popular vote, it is almost impossible not to meet with some who are not intolerant.

31545. In speaking of Iowa, you described to the Commissioners the state of affairs in Dubuque and in other places where the law is a dead letter, and also the condition of affairs in Grinnell, where the law is observed; and you were asked whether there was any difference in communities where the law was observed, and in the others where it was not observed. Taking those communities in regard to which you have pointed out the differences in enforcing the law regarding prohibition, did you not find in the cases of offences against the criminal law, such as murder and horse-stealing, that the offenders would be punished in Dubuque as well as in Grinnell?—Yes.

31546. The communities would have regard to the crime *per se* and view it in the same light?—Yes.

31547. In those places of which you have spoken, Grinnell and others, where very strong sentiments exist, have they been brought about by the enactment of prohibition, or as the result of the education of the people on the line of moral suasion?—I think in consequence of infusing the people with temperance ideas.

31548. Not particularly by enforcing prohibition on them, but by pressing temperance views on them? I believe that was the case in regard to some classes of people; but there were more prohibitionists there than in any other place.

31549. Then with respect to the effect in Arkansas: was it the enforcement of the law in that direction that led to the amendment?—It was very quick in its results in educating the people.

31550. If the law respecting the crime of murder had been to a large extent persistently and flagrantly violated instead of the crime being punished, would you have had similar beneficial effects in the communities? Certainly not. The number of sellers dropped down one-third in one year as compared with the number before the enforcement of the law.

31551. In regard to Iowa: may persons bring in liquor purchased in other States?—Most decidedly so. Those cases come under the inter-state commerce law. I kept liquor in the house when I lived there. I always sent to Chicago for it, and of course I never violated the law in bringing it in. I got my supply of liquor and kept it in the house, and I did not frequent the saloons.

31552. Take the man who used liquor and had not the means to send to Chicago for a supply, what would he do?—He would have to go without.

31553. So the law really favours the man with means at the expense of the man without means?—At that time the town would not have been run unless some of us brought liquor in, because the Judge and the District Attorney were in the habit of coming to my place, and without them it would be impossible to run the town. That was the state of affairs in Grundy Centre, Grundy County, Iowa. The Judge and the District Attorney were in the habit of coming to my place to get drinks of whisky.

*By Rev. Dr. McLeod:*

31554. What year were you in Arkansas?—In 1877 and 1878.

31555. What was the law in force then?—It was a partial prohibitory law.

31556. Was there plenty of liquor obtainable?—No, it was harder to get then, than under the subsequent enactment. In those days you could get liquor without a doctor's prescription. No liquor was allowed to be sold at that time, except it was of a certain strength.



Hon. JOHN F. BAIN, of Winnipeg, Judge of the Court of Queen's Bench of the Province of Manitoba, on being duly sworn, deposed as follows:—

*By Judge McDonald :*

31557. How long have you resided in this city?—About twenty years.

31558. How long have you been upon the Bench?—Nearly five years.

31559. Did you practice here before that time?—Yes.

31560. Did you come here from Ontario?—Yes.

31561. I suppose the part of Ontario in which you resided was under a license law?—Yes.

31562. Have you ever lived in a city where the Scott Act was in force?—I have never had any experience with the Scott Act.

31563. When you came here I suppose there was a license law in force in this city?—Yes.

31564. And, with amendments, that law has since continued in force?—Yes.

31565. We have been told that there were two counties in the province in which the Scott Act was voted on, the Counties of Lisgar and Marquette, but that the Act was never carried out and nothing further was done. Have you any knowledge in regard to the matter?—I have no knowledge of it.

31566. Have you noticed since you came to the province any change in the social customs of the people in regard to the drinking of intoxicating liquors as a beverage, whether it has increased or decreased?—My own experience has been that there has been a marked change for the better in the drinking habits of the people.

31567. To what do you attribute that change?—I think it is in a great degree due to an improvement in the moral sentiment of the people in regard to the abuse of intoxicating liquors.

31568. I suppose the influence of religion and of temperance societies has had an effect?—Society is in a very different stage here now to what it was in the early days of the province.

31569. Do you know whether anything is done in the public schools here in the way of temperance education?—I do not know.

31570. Have you been brought in contact with the working of the license law?—No, not directly.

31571. As a citizen, have you noticed whether it is well observed in Winnipeg; take, for instance, the provision in regard to closing on Sundays?—I have always understood that it was quite easy to get liquor on Sunday.

31572. By persons other than those to whom the law permitted it?—Yes.

31573. Do you know anything about selling to minors?—I cannot speak of that. I never heard there was such sale to an extent that it would be a public scandal.

31574. We understand that the law now in this province, as in some other provinces, permits the sale of intoxicating liquors in the same place in which groceries are sold. Do you consider that a beneficial law?—Yes, on general principles I consider it such.

31575. Have you ever formed an opinion as to the extent of the evil caused by hotel and restaurant bars respectively, as to which causes the greater evil? Would there be any difference as between the hotel bars or restaurant bars, and if one had to be abolished which, in your opinion, should be abolished?—I should say that if one had to be wiped out, the saloon bar should go, for there seems to be less excuse for it than for the hotel bar.

31576. Have you considered the subject of high license?—Not specially, but I may say that I am decidedly in favour of high license, if there is to be a license at all. I also believe in the limitation of the number of licenses and in the strict regulation of the places licensed.

31577. What about the inspection of liquors: has your attention been called to that question? I refer to the prevention of adulteration.—Yes, I think that should be part of a system of high license.

31578. Have you noticed whether the traffic, in this community, has affected the business relations of the people injuriously?—No: I cannot say I have ever noticed that

it has an injurious effect. I believe from my own experience that the whole of the Province of Manitoba will compare very favourably as regards sobriety with any other part of the Dominion, or any other community I know of in America.

31579. Would that remark apply to the province as a whole?—Yes, and it would specially apply to the rural districts, more so than to the cities.

31580. The last witness mentioned that many farmers come in, and although they come from places where liquor was not sold in some instances, they were perfectly temperate when in the city. Have you noticed among the farming class coming to town that sobriety to which reference has been made?—I have noticed it is very rare that you see a farmer under the influence of liquor.

31581. Do you know whether illicit selling prevails to any extent in this city or province?—I have no opportunity of knowing, but I have reason to believe that it does.

31582. Have you considered the question of the treatment of the persistent drunkard?—You have noticed no doubt that many men keep going from saloon to Police Court and then to jail and back again. Do you think that such people should be shut up for a time and properly treated?—I have often considered that sooner or later that is a problem which society would have to deal with. My own impression is, that a man who proves himself to be an habitual drunkard and a nuisance to society, should, for his own protection, be shut up. It seems trifling with the matter to send such a man to jail for a few weeks.

31583. The usual term is 21 days in the Eastern Provinces.—I do not know, for these cases do not come before us.

31584. Have you considered the question of the encouragement of the use of light wines and ales with the view of doing away with the use of the heavier distilled liquors?—I have lived for some years, indeed I have spent a good portion of time in France, Italy and Germany. I was very much struck with the sobriety of the people, and with the contrast between most of the people there and the people of America. It was very seldom indeed that you would see a man under the influence of liquor, and yet enormous quantities of light wines and beers are constantly drank, the men with their families seeming to enjoy themselves rationally and intelligently without any of the demoralizing and degrading effects you see in gatherings of the same kind on this side of the ocean.

31585. We have been told that light wines are served as part of the ordinary meals?—Wine really takes the place of water; it is served at meals and is drank by everybody, in fact it takes the place absolutely of water.

31586. Have you considered at all the question of prohibition?—I cannot say that I have.

31587. Have you ever been in a country where prohibition was in force?—During the summer I have been in Maine.

31588. What part?—Near Portland.

31589. Have you been at Old Orchard Beach?—I have been there, but have not stayed there.

31590. We have heard a good deal about the operation of the Maine Law in that State. What was your experience?—In the hotel I was at, I saw liquor was obtainable quite easily.

31591. Have you considered whether it would be practicable to carry out a general prohibitory law, if such a law was passed in this country?—I think it would be practicable if the most of the people were in favour of the law, not merely in favour of the law being passed but sincerely in earnest in wishing it to be enforced.

31592. Then you think you must get the sense of the community in its favour in order to make the law a success?—Yes.

31593. The question has been put in this way: The Maritime Provinces might be very strongly in favour of such a law, while other portions of the Dominion might be opposed to it. Do you think that Parliament should be governed by the sentiment of a particular locality?—I think it should be guided by the general opinion of the country.

31594. Have you considered the question of granting compensation to brewers and distillers in the event of the enactment of a general prohibition law?—Not at all.

HON. JOHN F. BAIN.

31595. What is the effect on the moral sense of the community of placing a law on the statute-book that is flagrantly and persistently violated and not enforced?—It depends a good deal on the nature of the law. There are some laws, the non-observance of which would have no effect whatever on the community. Take, however, such a law as the prohibition law: if the law was not enforced, I believe it would be thoroughly demoralizing to the community.

31596. There are, of course, laws in regard to municipal regulation, the observance of which has no effect one way or the other on the community, such a law for example as leaving your horse untied on the street?—Yes, in regard to matters of no special interest or concern and in regard to which no special principle or great public interests are involved.

31597. Have you any suggestions to offer to the Commission from your experience generally or as a citizen, or any amendments to the present legislation to offer?—No. I have always felt that there are a great many more places licensed for the sale of liquor than there is any necessity for, and my experience has been that what you may call the lower class of saloons are the places that do the most harm in the community. They have nothing to lose either as regards character or reputation, and of course there is less object in carrying out the law. My experience as a judge is, that these places are the places of all others where liquor is sold that do most harm.

*By Rev. Dr. McLeod:*

31598. Do you have to do with crimes of the higher sort?—Ye, we have to try criminals.

31599. Have you observed whether any proportion of the criminal cases that come before you are attributable to the drink habit and the drink trade?—Ever since I have been on the Bench I have been struck with the fact that so few of the cases that come before me are attributable directly or indirectly to the use of liquor. I had always been accustomed to hear and believe that drink was responsible for a very large proportion of crime, but that certainly has not been my experience on the Bench in Manitoba.

31600. Responsible not even indirectly?—In the large majority of cases so far as the evidence shows, the crime is not attributable to drink, directly or indirectly. I can only speak of what appears in the evidence before me.

31601. Have you many cases of serious crime in Manitoba?—No. We have been remarkably free from serious crime.

31602. Do you see any connection between that small record of crime in Manitoba and the sobriety of the people, which you say, is very marked?—I think that both the sobriety and the absence of crime are attributable to the same cause, to the general high character of the people of the Province. They appear to be related, as cause and effect, and they are both evident.

31603. The question I desire to ask is, in effect, this: Whether the sobriety is the cause of the diminished serious crime in the Province?—I think it is very likely that if there were more drunkards in the Province there would be more crime.

31604. You have expressed yourself as favourable to a still higher license system, with greater restrictions and a diminution in the number of places licensed?—Yes.

31605. Would you prefer a prohibition law to even a high license system, if it could be well enforced?—I would prefer not to express my own individual opinion. Judges have to administer the law as they find it.

31606. Then you would rather not express an opinion on that point?—Yes.

31607. Would you express an opinion as to whether if we had a prohibition law, well enforced, there would be beneficial results obtained?—There would be benefits in some ways, and in others I think there would be the reverse.

31608. What would be the injurious effects?—My own impression is that it would be perfectly impossible to strictly enforce a prohibition law.

31609. I was assuming that the law was well enforced: does that seem to be an impossible case in your mind?—Yes.

31610. What would be the difficulties?—The same as are in the way of enforcing the prohibitive provisions of the license law.

31611. Still they are enforced more or less?—Yes.



31612. The Mayor has told the Commission that for the last two weeks the law has been fairly well enforced, at all events very much better enforced than previously. He stated, however, that he thought the enforcement depended largely on the attention given to it by the officials and others. Have you noticed that a good deal depends as to the enforcement of the law upon the attention that the officials appointed for the purpose give to the enforcement?—Naturally, but the attention that the officials give to it depends very much on whether the community insist that they shall enforce the law or not.

31612a. Is that true of all laws?—There are always some persons who do not want the enforcement of law, who seem rather inclined to violate law; and there are other classes who never wish for the violation of law but who wish to have it observed because it is the law, whether they are in sympathy with it or not.

31613. Do you find the enforcement of the law generally depends on public sentiment asserting itself and insisting on its enforcement by the officials who have the matter in charge?—What kind of laws do you mean—do you mean criminal law?

31614. Laws against misdemeanours, and offences of various kinds?—Yes. It depends immediately on the attention given to it by officials appointed to enforce it. But with respect to law against crime: If there were any violation on the part of the community and the proper officials were not enforcing the law they would be compelled to do so. Public sentiment would assert itself, and insist on the carrying out of the law.

31615. Is there not laxity in the enforcement of some laws for a period, and does not the public conscience awaken and see that the laws are better enforced?—I suppose so.

31616. You have spoken about the classes of licensed places, and I think you stated that the lower class did the most harm, because they were kept by irresponsible people. Have you ever given any thought to this point: Take the hotel bar or the so-called respectable saloon and take a saloon 7 x 9 kept by a nobody: in which of these places do you think the people of the best class of the community and the young men are likely to contract the drink habit?—I suppose they are more likely to contract it in the hotel.

31617. Have you noticed whether the generation that is growing up begin in the better class of place and graduate down to the others or whether they begin low down and graduate up?—If a young man becomes a slave to the habit and a drunkard, he sinks.

31618. Would it then appear that the higher class of place, which has a degree of respectability and character about it, and which is regarded as reputable, and a place where a man may visit without loss of self respect, is after all more dangerous than the place without character, more dangerous to the best people of the community and those in whom the hope of the community rests?—If a man wants a drink and cannot get it in a respectable place, he will go to a disreputable one.

31619. But the man with the drink habit strongly upon him will go to the disreputable place, I suppose?—No, I should think not, if he has a choice.

31620. You spoke about living in France: how many years ago was that?—I lived there three or four winters seven or eight years ago.

31621. And when were you in Germany and Italy?—Seven or eight years ago.

31622. Have you noticed from the newspapers that within the last few years there has been a large increase in the alcoholic habit in Germany?—I have not seen that statement in regard to Germany, but I have in regard to France, the statement that of late years there had been much more spirits drank than was formerly the case.

31622a. That increase in the use of alcohol is attributed to damage to the vines done by the phylloxera?—Yes, and to adulteration and bad quality of wines.

31623. Have you considered whether wine drinking is a dangerous habit, for the reason that, in the absence of wine, the people will of necessity resort to alcohol and stronger drinks?—I have never thought of that. The common wines that the people drink in Europe are very light, containing very little alcohol, and are non-intoxicating.

31624. It would seem that as the people cannot get wine as formerly, they must have some stimulant, and they resort to the stronger alcoholic drinks. Do you think that

HON. JOHN F. BAIN.



the constant habit of wine drinking creates such a strong desire for stimulants that they are compelled to use them? With regard to Germany, within the last year or two a statement has been made to the effect that there has been a large increase in the use of alcohol, and within a year or so the German Emperor has proposed strict regulations with respect to it. Would it seem to you that the general use of beer there had through the course of all these years produced a condition of constitution in the people that demanded the use of strong liquors?—I can express no opinion on that point.

31625. Have you any knowledge of the North-west?—Yes. I have made visits there on business and otherwise.

31626. Did you observe the working of prohibition there?—To some extent.

31627. Did you think it a success or otherwise?—I thought it was very much otherwise.

31628. Did you visit it during last year?—No, I have never been there since 1885.

31629. Did you give some study to the question whether the permit system, as it prevailed at that period, really destroyed the effects of prohibition?—The permit system was evidently abused, and under the operation of that permit system, liquor seemed to be obtainable to a very great extent. It struck me that I had never seen the use of liquors so utterly demoralizing as it was in the North-west at that time.

31630. Have you been there since the adoption of the license system?—No.

31631. Speaking of Italy, did you notice sufficiently to be able to express an opinion, how Italy compared as regards drunkenness with Manitoba?—No. I was not living so long in Italy as in France, but so far as I can remember now, I saw far less drunkenness there than I have seen during the same time in Manitoba.

*By Judge McDonald :*

31632. I understand that you have not studied the question as to what may have caused the recent change in France and Germany as regards the use of alcohol. Has not wine drinking gone on for centuries among the people of those countries?—Yes.

31633. Wine drinking and beer drinking have been, I understand, part of the customs of the people from time immemorial?—It is part of their every-day lives. They drink wine and beer as we drink tea and water.

31634. Therefore, if they really come to use alcohol, as has been indicated, you must look to some other cause than that of mere use?—That occurred to me. If the use had that effect, I do not see why it should impress itself just now.

31635. The phylloxera, I suppose, has been one cause and other causes have been given to the Commission?—No doubt the diminished supply has led to the manufacture of bad wines.

HON. WILLIAM DAVIES ARDAGH, of Winnipeg, Judge of the Eastern Judicial District of Manitoba, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

31636. How long have you resided in Winnipeg?—Over ten years.

31637. How long have you been Judge of your Judicial District?—Between eight and nine years.

31638. You came, I believe, from the County of Simcoe, Ontario, originally?—Yes.

31639. For some time, I think, you were member of the Legislature of Ontario for North Simcoe?—Yes.

31640. I suppose in your day there was no law dealing with the liquor question in your district other than the license law ; or had the Scott Act been carried in Simcoe before you left?—It was carried after I left, but I have been there several times during the years since, for a month or two at a time.

31641. Did you see anything of the working of the Act in Simcoe while you were there?—Yes.

31642. How did it succeed?—It did not succeed at all.

31643. Did it not have the effect that the people intended it to accomplish?—It had the effect of reducing the facilities for getting liquor among a certain class of the people, the lower classes and those of whom the hotel-keepers and saloon-keepers were afraid; but it increased the drinking habit among the better class, for it induced them to keep kegs of liquor. It led to more home consumption. I did not try to commit any breach of the law, but I am perfectly well aware that I could have got all the drink I wanted in any hotel or place in the town or in any part of the county where I was. The breweries all around were in full blast during the time. The Act was finally voted down after three years' experience.

31644. Taking your experience in Manitoba, and in Winnipeg particularly, do you find the people are temperate and sober in their habits?—I think fairly so.

31645. Do you find since you came here that there has been a growth of the temperance sentiment and a change in the social customs of the people? I think that change has been largely going on here. The use of wines and liquors, for instance at table, is less than formerly, and I think there is probably less drinking generally.

31646. I suppose you find in Ontario a great change in that respect from your earliest recollections up to the time you left it?—Yes.

31647. That there is much less liquor used at the social table?—Yes, there is very little used.

31648. To what do you attribute that change?—To the gradually increasing sentiment in favour of temperance.

31649. Has that result been produced by religious and moral influences?—Yes. I find that a great many people are now abstainers.

31650. Have you License Commissioners in Manitoba?—No. I was a License Commissioner during the time the Dominion Act, the McCarthy Act, was in force.

31651. Then, you are an ex-officio Commissioner?—Yes.

31652. How did that Act work?—I found it an improvement on any Act known before or since.

31653. Are you acquainted officially with the working of the provincial license law?—Not officially. The only clause in the provincial Act I specially remember is that which empowers the County Judge on certain evidence to order licenses to be cancelled. Unfortunately the province did not go far enough.

31654. Have you any cases under it?—I have never had a case. The provision is not comprehensive enough, it is very limited.

31655. Have you had any appeals to you in Chambers from convictions by Justices?—No.

31656. Some license laws, I believe, allow an appeal to a County Judge?—I do not remember if such is the fact, I never had any case.

31657. Have you, as a citizen, noticed whether the law as to the closing of licensed houses on Sunday is well observed? My own impression is that the law has not been well observed.

31658. You think that sale goes on during Sunday to others than those whom the law says shall be entitled to liquor?—I frequently see people coming from church go into these places.

31659. Have you considered the question of high licenses?—I should be in favour of high license.

31660. With a limitation of the number of licenses issued?—Yes. I would give no license at all to ordinary saloons, and I would confine licenses to hotels and restaurants, and to the latter I would issue very few.

31661. If licenses were to be issued to only one class, hotel or restaurant, which would you prefer?—The hotel.

31662. Would you, in connection with that system, favour also a system of rigid inspection of liquors sold, in order to see that they are pure?—Certainly that is a very important matter.

31663. In regard to your administration of the law—and I would first take the criminal law—have you found a large proportion of cases traceable, directly or indirectly,

HON. WILLIAM DAVIES ARDAGH.

to drunkenness?—I have formed the opinion that drunkenness is often an element, but not the leading one. Natural depravity seems to me to be the leading cause, and drunkenness follows that.

31664. Do you find that drunkenness is put forward as an excuse?—Yes, it is put forward continually as an excuse for the commission of crime. The man says he was drunk.

31665. Have you reason to believe that that statement is always true?—No.

31666. In regard to the administration of the civil law, how do you find it? Do you find there is much litigation caused directly or indirectly by drink, and do you think many disasters in business may be traced to the use of intoxicating liquors as a beverage?—It would be difficult to give an opinion on that point, because the question does not arise in court, and I would not be able to know the facts unless I happened to know them previously. No question of that sort would come up in a civil action.

31667. Have you a similar law here to that in force in Ontario?—Yes.

31668. Is it not true, that, owing to drunkenness, people are frequently unable to pay their debts?—I think so in a limited number of cases, but extravagance, bad habits, and idle habits much more frequently cause people to be unable to pay their debts, and sometimes the people would be willing to do so if their habits would allow them. I think, as a general rule, it is due to dishonesty and indisposition to pay.

31669. Do you think that is the general rule?—Yes.

31670. You have known, of course, cases in which men, owing to their drinking habits, could not obtain employment?—That must be the cause, to a certain extent.

31671. Have you reason to suppose that there is much illicit selling in this city, that is, sale by persons without a license?—I think there is comparatively little.

31672. Have you considered the possibility of encouraging the use of light wines and beers, and encouraging in every way their importation as well as their use, thus doing away with the use of heavy liquors?—Yes; that would be my idea of dealing with the question. I may say that the same fact struck me as appears to have struck Judge Bain. During my residence of three or four months in France and Italy, I never saw a drunken man, and I never saw any extravagant use of liquor.

31673. Was wine much used?—It was always served at the table, and was so very cheap that everybody could obtain his bottle of wine. I observed, however, during the time I was there, that the people were very temperate and very abstemious.

31674. Have you had any experience in a prohibition country?—The only experience I have had in a prohibition country was in Maine, but that was a good many years ago. I travelled through a part of Maine without knowing that prohibition was in force there. It was only when somebody happened to mention it, I was aware of the fact.

31675. Why was that?—Because I got everything I asked for. I asked for a glass of ale, perhaps, at dinner time or supper.

31676. Have you considered the question of prohibition, as to whether it is advisable to have a general prohibitory law enacted by the Dominion Parliament, an Act prohibiting the importation, manufacture and sale of alcohol for beverage purposes in Canada?—In my opinion, from all the experience I have had, and I have been for very many years *ex-officio* a Magistrate, and between ten and fifteen years Mayor of the town where I lived, a proper license Act is the best means to minimize the evil, which everybody admits to be an evil, and that system should be tried before we resort to prohibition. I think the evils that would arise from, and that would follow, prohibition, would be very great, and include smuggling, illicit distilling, and a desire or temptation on the part of a larger number of the community to break the law. My own impression about the license law is that the whole difficulty lies with politics. I think that is at the root of the whole matter. The one approach made to the proper regulation and control of the traffic and the disruption of politics from it was in the case of the Dominion Act, which was declared *ultra vires*. The administration of the law was, to a large extent, placed in the hands of an independent authority, an authority which was *ex-officio* and largely independent. That fact created in the minds of the liquor sellers the belief that the law was going to be enforced, and it was enforced. They respected the law, because they knew they would be compelled to obey it. They respected it not only because they were willing to do so, but because they were afraid to do otherwise. The impression on

my mind is, that if a proper license law were enacted, with, perhaps, a permissive Act in regard to certain portions of the law, so as to enable the control to be placed entirely under one authority—the local authority, including inspection—such a law, without interfering with revenue purposes, would minimize the evil, and reduce it to its very lowest limit, and it would have a less injurious effect on the community at large and on the morals of the community than total prohibition.

31677. In that opinion you have given expression to your view as a Judge of this province?—I have given my opinion from all I have seen.

31678. Taking your experience, do you believe that it would be possible to enforce a prohibitory law in Canada at the present time?—I have never been in any country or state, except Maine, and passing through it simply, where a prohibitory law was in force. I can only imagine the difficulty of enforcing such a law, and form an opinion from what I have heard. Speaking of the effects of the law and the administration of the law in the North-west Territories, I may say that there was not a system of total prohibition in force there, because they had the permit system; but I could form some opinion, from conversations I have had with very many friends and intimate personal friends, from time to time, as to the moral effect on the minds of the people of the system of prohibition.

31679. Suppose such a law was enacted in Canada by the Dominion Parliament, do you believe it would be right that remuneration should be made to the distillers and brewers for their property that would be ruined by such an enactment?—I certainly think that is a very serious question. Those men have been allowed to produce liquor, whether good or bad in its effects, under the protection of the law for a great many years, and I think myself that there should be some remuneration granted them for the loss of their plant and their property, in the event of the enactment of a general prohibitory law.

31680. What, in your opinion, is the effect on the popular conscience of having a law on the statute-book, such as a general prohibitory law, which is persistently and flagrantly broken?—It is very difficult for me to give an opinion in regard to a prohibitory law, because I know nothing about such a law. Of course, I am satisfied that the effect on the minds of the people of having a law on the statute-book that is a dead letter and is not respected, is demoralizing. I understand, of course, that holds in regard to any law, and especially a law of a sumptuary character. It is very difficult to bring the mind of the community in accordance with a law of that kind, even when the people see the ill-effects of their present course; and there is a feeling of this kind: such a man should be restrained, but I should not, and any restraining law is an interference with my liberty. Of course, the ordinary mind is aware of the principles of legislation under which every man must give away a certain portion of his liberty for the protection of the rest; but a large portion of a community do not reason that way. With respect to the vote taken in this province lately, I myself gave personally very little attention to that vote, for this reason, that, I think, a large portion of those who voted for prohibition, if they could see their way clear to having a proper license law properly enforced and respected, would be very easily convinced that that would be a better law than prohibition, and would probably say that it would be better than prohibition; but, in the absence of a properly enforced license law, they would go to the full extent of trying to root out an evil, which, if you press it down in one place, will come up in another, and in a different form.

*By Rev. Dr. McLeod:*

31681. You have spoken in regard to the observance of the Scott Act in an Ontario town. I think you stated that it increased the amount of drinking done by a certain class in their homes. Do you think that is more harmful than bar-room consumption of liquor?—When I said home drinking prevailed, perhaps I did not make myself entirely understood. I noticed that a great many persons kept a private supply in their offices; I observed it on going into the offices of friends, of personal and political friends, and I found that people, whom I never supposed would do anything of that kind, kept a little supply of liquor on hand, with glasses. I noticed, too, that, generally speaking, the bottles were all labelled with a druggist's name.

HON. WILLIAM DAVIES ARDAGH.



31682. Would that class of drinking be better or worse than bar-room drinking?—In my opinion, it is more demoralizing.

31683. Is there anything wrong connected with office drinking?—I do not know anything that can be more demoralizing than bar-room drinking, but when a man gets in a supply of liquor so that he has no trouble to get it, and when he buys it in wholesale fashion, I think that is demoralizing. The liquor is at hand, and when his friends come in to do business, which very frequently happens, I have noticed the habit in a lot of offices, even in law offices, is to have a glass of liquor with their business. If this liquor were obtained at an hotel, the drink habit would prevail to a much less extent than when the people had it on hand in their private rooms, as I have noticed it. I was particularly struck with this habit, because I noticed that a great many people had got into the way of taking a drink, who I thought were very temperate and of regular habits.

31684. Do you think the people who had liquor in their rooms, if the Scott Act had not been enforced, would have resorted to bar-rooms?—They might have done so, but not to the same extent.

31685. It is often contended that a great deal of the drinking is practically done for good-fellowship, one man will ask his friend to have a drink and his friend will in turn do the hospitable, and before they are through they will have had a lot of drinks. Do you think that system is as bad or worse than the system of drinking in offices?—I should not like to generalize on the subject. I noticed that several persons whom I knew were in the habit occasionally, like a great many other people, of going to the bar of a hotel and getting a drink, professional men even, were in danger of becoming drunkards, and this fact was admitted by their friends and neighbours. "One swallow does not make a summer." That happened to be the case in my own town in regard to three or four men who had always been temperate, and these facts indicate the demoralizing effects that may result from having a private supply of liquor on hand in an office.

31686. Speaking in a general way, do you think that men are likely to become drinkers if the trade is delegatized rather than if the facilities afforded by the bar-rooms for drinking are afforded?—No.

31687. You would not argue from the above that this would be the general result? No. I simply mean to say that when you try by legislation to suppress a certain evil, the effect of suppressing that evil in a certain direction may result in its increase in other directions.

31688. That is the perversity of human nature?—Yes.

31689. You spoke about the breweries being in full force under the Scott Act. Did you regard that as a defect of the Scott Act?—It was only surprising to me that they existed at all, and so far as I could learn they manufactured just as much during the existence of the Scott Act as they did before or have done since.

31690. Did the Scott Act prohibit the breweries?—No.

31691. Then it could not be charged against the Scott Act that they were allowed to carry on business?—No, but of course they had their products to sell.

31692. Did they sell it in the locality or elsewhere?—They sold it largely throughout the country.

31693. Did they sell it in the country?—Yes.

31694. You know that?—Yes, certainly.

31695. You have spoken about the changes in the drinking habits of the people of Manitoba and elsewhere: that there is much less drinking now than was formerly the case, and I think you attributed the change mainly to religious influences. Do you think this trade as established, has helped to bring about these desirable changes, that the licensed trade has helped the influences that have brought about these changes?—I do not think it has had anything to do with it. I do not quite understand the question. I think the license law has been, to a very great extent, a failure.

31696. There has been a change in the drinking customs brought about by moral and religious influences, and I understand that you think the change is a good one?—Yes, and if it could be further carried out, it would be very desirable.

31697. Those influences you say have brought about that change. Has the effect of the license law considerably helped those influences to accomplish this desirable change?—I hardly think so, and I can hardly give a reason for not thinking so. I may mention this as an incident. When I was a lad in Ireland such a thing as men not taking a certain number of glasses of hot whisky at dinner was unknown; every man did it. It was part and parcel of the meal. I know from recent visits made to the country since, and seeing the same class of people, this habit has pretty nearly disappeared.

31698. Do you think that change is an improvement?—Certainly. Those who could not afford to drink wine had their hot whisky, as a matter of habit. From time to time I have visited the old country, and found those people or their descendants have gradually dropped the habit, until it has nearly disappeared altogether.

31699. You regard that as a good result?—Certainly; I regard it as an improvement.

31700. Would you think it a good thing if the improvement went further, and there was a greater abandonment of the drink habit? I think any step in the direction of the abandonment of the drink habit is an improvement.

31701. Do you favour the suppression of the trade as a means of contributing towards that good result which you desire to see accomplished, and which we all desire?—I think a man who has the good of the community at heart must desire any evil to be minimized. If you cannot destroy it altogether, minimize it. That is my opinion, and a thorough license system would do more than total prohibition, considering the evils that would arise from any attempt to totally prohibit the trade.

31702. You spoke of the evils that would arise from the enactment of such a law, and among them you mentioned smuggling?—Yes, and illicit distillation and illicit traffic.

31703. Are those evils that would arise under prohibition, or evils that now arise from the liquor traffic?—Of course, that is simply a matter of opinion.

31704. You have knowledge of the evils that arise from the trade, I suppose?—The only information I can give on that point is simply this: I think it would be better to try a license system rather than absolute prohibition. Of course, if the license system did not have a satisfactory result, then you might apply a more crucial test.

31705. The license system has been in force a good many years, I believe. Have you ever known a license system that has been observed?—No; I cannot say that I have ever known any license system that has been observed, because I have never known a license system that the people were satisfied with.

31706. Has the license system regulated the trade?—Of course it has done so to a certain extent, there is no doubt about it.

31707. Is the license law broken in certain ways on the Sabbath: do you know whether the law is observed in that regard by the licensees?—I could not say in that regard, because I have not had an opportunity of testing it. The information I can obtain, information obtained from the Police Commissioners, leads me to think that some few licensees observe the law in that respect, but that a large majority do not, I have no doubt. The reason they do not observe it is, that one man will endeavour to observe the law for a time, but he will find others taking a different direction and defying the law, and when one man is allowed to defy the law, others will follow, especially when they find it can be done with impunity.

31708. Will you tell the Commission, briefly, what is your idea of a license system that would meet the needs of the country?—I do not think it is quite fair to ask me to answer that question here. It is a question that one would have to consider very maturely to give an opinion about it, not *vive voce* but in writing. I myself hold the opinion that a license system should be framed that would largely produce the effect that the temperance people are anxious to produce, and very properly so. I believe that if the efforts of the temperance organizations were directed, in the first instance, to a license system, to control the sale of liquor, if their energies were directed in that direction altogether, they would probably be able to produce a much better result than they would do as total prohibitionists, because there is no doubt in my mind that the reason

HON. WILLIAM DAVIES ARDAGH.

why the law is not observed is, that it is made largely a political engine, that it has long been a means of meting out certain patronage in connection with politics. So long as that is the case, you cannot by any possibility get the law properly observed.

31709. I suppose your idea of a license law would be one that would have even more restrictive features than the license law now existing?—I will give an instance of what occurs to me just now. I was a License Commissioner under the Dominion Act, and it happened, through an oversight or want of knowledge on the part of those in charge of the municipal institutions here, that I was actually sole Commissioner. There should have been three Commissioners, but there were only two appointed, and in regard to the second, as there was some apparent irregularity about his commission, I thought it advisable that he should not vote, although he sat with me. The matter remained in that way until the law was changed. I noticed as soon as applications for licenses were called for, that I was inundated with letters written by people who were supposed to be influential in politics. In every case when a letter was handed to me by a person who told me that Mr. So and So. requested him to present it, I asked if the letter had reference to a license. Whenever the reply was in the affirmative, I immediately put the letter in the waste paper basket in the person's presence. That was what happened every time. The other letters I received I treated in the same way. There is no necessity for entering into a long explanation in regard to this matter, but the effect of treating letters in this way was such that for the coming year the best class of men that could be obtained in the community were secured as the holders of licenses.

31710. Did they observe the provisions of the license law?—The provisions of the license law were better observed during the continuance of that Act than they have been observed since.

31711. Were they strictly observed?—I cannot say that, unless I went about as a detective to watch the parties. I may say that I was not only License Commissioner, but I was also Police Commissioner, and consequently I had an opportunity of learning the inside working of the trade better than any one else could do.

31712. I think you have stated that prohibition in some way promotes drinking, that men desire to get what is prohibited?—Yes.

31713. Is it true that prohibited things are desired because they are prohibited?—I think so, to a certain extent.

31714. Is it considered a mistake to prohibit certain things?—A good deal depends on what the things are that are prohibited. Of course that is a very wide question to discuss. It might be said that our early progenitor if he had not been told that he ought not to eat an apple would not have thought of doing so.

31715. How long is it since you were in the State of Maine?—Twenty-five years.

31716. I suppose you do not know anything with respect to the operation of the Main Law since?—I have received various reports in regard to the Prohibitory Law in Maine, but I have no present knowledge in regard to its operation. I have been told by some persons that the law is better observed there now than it was formerly. I noticed at the time of which I have spoken, that there were very many means of getting liquor that were of an extraordinary character.

31717. Do you think a prohibitory law, if well enforced, would be productive of benefit?—I do, except of course as regards medicinal purposes. I do not see what benefit results from drinking beyond temporarily satisfying a man's appetite for drink. I am now considering the question in the abstract.

31718. Speaking about granting compensation to brewers and distillers, who you are aware are licensed from year to year only, do you think that if a prohibitory law were enacted that would interfere with their business, they would have a stronger claim than any other man would have in consequence of a change in the tariff or in the mode of doing business?—I think that the feeling of the community at large would be that those men should be compensated for their plant.

31719. Have they not made fortunes out of their business?—Some have and some have not. I do not know enough of the trade to enter into the matter; besides, what is to one man a fortune or at all events sufficient, is to another man a small compensation.

31720. Considering, however, this question of compensation, I desire to ask you whether if it were decided to compensate brewers and distillers, it would not be just to



consider the propriety of compensating those who, being patrons of brewers and distillers, have been impoverished thereby. Would it not be fair and just to take up both sides of the question?—A brewer's establishment is a financial investment, but the drinking of beer is a voluntary matter.

31721. Should not compensation apply in one case as well as in the other?—Have not brewers entered into this business and invested money in plant, prepared to take the risk and consequence of their investment? Should not, I repeat, the same principle of business apply to one case as to the other?—I should think so. That would seem to me to be a matter to be arranged on a regular scale; I am not prepared to enter into that question.

31722. Do you regard a prohibitory law as really a sumptuary law in accordance with the proper meaning of the term?—To a certain extent I do.

31723. Is it really so?—I can only say that I think, to a certain extent, it is. It controls the consumption or denies the consumption of certain articles which come within the ordinary range of foods. Porter is a very necessary article for certain purposes and it is beneficial, or at least it is found to be so from the experience of medical men.

31724. As a Judge, having to deal with the criminal classes, have you found many members of the criminal classes charged with serious crime to be total abstainers?—I cannot answer that enquiry, because I never put the question as to whether a man is a total abstainer or not. The fact of his having used intoxicating liquors will come up incidentally, but the fact whether he is a temperate man or total abstainer never comes up. I would have to possess personal knowledge in order to determine that matter.

31725. Have you observed that any considerable proportion of those brought before you charged with crimes are either themselves drunkards or associated with drunkards, or are caught about drinking places?—I have no doubt that a total abstainer is less likely to become a criminal, or to be brought before the criminal courts in connection with any breach of the criminal law than a man addicted to drink. The effect of drink on a man mentally is to dull his perception of right and wrong.

*By Judge McDonald:*

31726. Would you apply that remark to every class of cases? We read in the newspapers that a large proportion of those parties in the United States at the present day who commit forgeries on banks and similar crimes are men who lead irreproachable, moral lives?—A large number of them do.

31727. Take commercial crimes, such as forgery and embezzlement: are they committed by drunkards?—I do not think so.

31728. Then it is a matter of class of crime?—Yes, it applies to petty larceny and assault, and everything of that sort.

31729. You have suggested that you think it would be wise if the temperance people would turn their thoughts and their actions towards securing a better license law, and having it more thoroughly enforced. Have you considered the subject from this point of view: that a great many temperance people look upon a license law as a sin, and would say that they could not consistently adopt that course? We have had such witnesses before this Commission.—I cannot deal with a man like that.

31730. You would not consider that question from the point of view that licensing itself is wrong? You have not perhaps considered it from that point of view?—No.

31731. You have formed the opinion that you think people who desire to promote temperance should use a license law or other means of bringing about that result?—I can understand a man of religious tendencies holding the extreme view; at the same time he would arrive at the conclusion on proper grounds. But it is impossible to legislate for a class of people of that description. I should like to see the possibility of doing so, but I cannot.



GEORGE TURNER ORTON, M.D., of Winnipeg, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

31732. Do you hold any official position ?—Yes ; I am Medical Inspector of Indians for the Province of Manitoba.

31733. Do you hold any official position in connection with the Canadian Pacific Railway ?—Not at present ; I have done so.

31734. Through what district do you travel in discharging your duties ?—I travel through different parts of the province where the Indian reserves are—in the district of Lake Manitoba, Lake Winnipeg, Lake Winnipegosis, up the Saskatchewan, and as far as Cumberland House.

31735. How long have you held your present position ?—Four years.

31736. How long have you resided in Manitoba ?—I have resided here since 1883. I visited the country two years before that time.

31737. Is any part of the district, of which you have spoken, in the North-west Territories ?—Yes ; a portion is in the North-west Territories.

21738. In which of the divisions ?—It will be in Saskatchewan.

21739. Do you go up to Prince Albert ?—Not so far as that, not further than Cumberland House.

31740. Will you kindly state your opinion, formed from your experience, of the working of the license law at present in force in this province ?—I think, upon the whole, it works very fairly.

31741. Are there any amendments which suggest themselves to you from what you have seen of the operation of the Act ?—Not particularly. I think the law, if thoroughly carried out, is a very good law, as a license law.

31742. So far as your observation has gone, has it been pretty well observed ?—I think it has been on the whole, considering the great difficulty there is in carrying out such a law.

31743. Will you be good enough to state to the Commission what has been your observation of the working of the law in the North-west Territories ?—In the North-west Territories the law that has been in force was, of course, a permit system. That I do not think worked well. I know as a fact, from experience I have had in the North-west, especially during the time that I was Medical Superintendent of construction, during the building of the Canadian Pacific Railway, that it was continuously infringed, and I have had occasion to go up through the Territories a good deal since, and I have found large quantities of spirits of a very inferior character, shipped in there and largely used.

31744. Do you refer to the country north of the line of the Canadian Pacific Railway ?—South of Qu'Appelle and even north.

31745. Can you, as a medical man, express an opinion as to what articles were used in the decoction and adulteration of these liquors ?—I cannot. I believe that sulphuric acid was used in some instances.

31746. Is that the same as bluestone ?—Yes. It is stated that sulphuric acid was used in small quantities.

31747. Was tobacco also used ?—Yes ; I have reason to believe so. I have not made an examination of liquors of that kind, but I hear that such was the case.

31748. Have you been there since the license law went into force ?—No.

31749. Have you studied the question of prohibition ?—To some extent. Formerly, as a member of the House of Commons, I gave some attention to the subject, when it was under discussion.

31750. I understand that you were for some years a member of the House of Commons ?—For fourteen years. I paid attention to the question at that time.

31751. From your knowledge of this country as a resident here, and also from your knowledge as one who has studied the question, do you think that a general prohibitory law, prohibiting the importation, manufacture and sale of liquors as a beverage in this country, can be carried out ?—I do not think it can be carried out effectually.

31752. If such a law were enacted, would you favour the granting of compensation to distillers and brewers for the loss of their machinery and plant?—I decidedly would, as I think it would be nothing but just.

31753. As a professional man of long experience, can you say whether much of the sickness you have had to treat has been caused by indulgence in alcoholic drink?—Not a large amount. A comparatively small amount is traceable directly to the use of intoxicating liquors. The cases that come under me of people who drink to excess are comparatively few.

31754. What in your judgment and from your experience, is the best mode of dealing with the whole question of intoxicating liquors: is it by unfettered sale, or by a license law, or by prohibition?—My idea has been and still is that a good license law, permitting the sale of light wines and beer in public places and entirely prohibiting in public bar-rooms and saloons the sale of spirituous liquors, would be more likely to be carried out, because popular opinion would support such a law, and it would be more easily and effectually carried out.

*By Rev. Dr. McLeod:*

31755. You have spoken in regard to adulteration. Have you spoken of what you have heard, or do you know of sulphuric acid and similar drugs being used?—I do not know. I know these adulterations were contained in such liquors as were smuggled into the country from the United States. I think they are very injurious.

31756. You have spoken of the system in the North-west not being a prohibition system but a system of permit, which in your opinion did not work well?—My opinion is, that this was simply owing to the fact that the people would obtain a certain quantity of liquor, and so long as it was profitable for the people to bring it in they would do so in the face of the law, and in the face of the large body of North-west Mounted Police.

31757. Have you reason to believe that there was considerable smuggling?—I am very certain of it, I have good reason to think so, and I have some knowledge of it.

31758. Do you think that the permit system in the North-west was faithfully carried out?—I think it was exercised as faithfully as a law of that description could be, so far as I could judge.

31759. To what do you attribute the steady increase in the number of permits granted and in the increase in quantity of liquor entering the Territories under the permit system?—Simply owing to the fact that the population largely increased, and it was very difficult for the Lieutenant-Governor to refuse permits to those who were considered to be respectable people and who would apply for permits.

31760. It is no doubt true that there was an increase of population, but it must be remembered that the increase of population was not nearly as great, comparatively, as the increase in the permitted quantity of liquor. For instance in 1883, the quantity of liquor entering the North-west Territories by permit was 6,736 gallons, and in 1890, it was 153,670 gallons. That is about twenty five times as much in 1890 as in 1883, as against an increase in population amounting to two and a half times the number at the earlier date. Is it not a fact that the permit system was indiscriminately used, instead of being judiciously used?—My opinion is, that up to 1883, the C. P. R. was not completed through but was simply being built, and of course there was not anything like the population in the country, and these men who had previously flourished on the sale of liquor could not make it profitable on account of the sparseness of the population, and the fact was that liquor was smuggled and got in by nefarious means. I think that is the simple explanation of the position.

31761. Since 1888 or 1889 permits have been issued?—You are talking entirely about permits I observe.

31762. Yes, entirely. Since 1889 permits have been given to bring in 100 gallons or more for sale, and in these years the quantity has run up to 150,670 gallons. Do you think during the earlier years there was sufficient smuggling to make the difference between 6,736 and 153,000?—I think there was considerable difference in population.

31763. Do you suppose there is any smuggling now carried on?—I do.

GEORGE TURNER ORTON.

31764. So the permission of the sale does not entirely do away with smuggling?—It does away with a very large portion of it, but those making profit out of it in that way still continue to carry it on to some extent.

31765. You have stated that general prohibition cannot be carried out. Will you please tell the Commission why?—Simply from the fact that popular opinion is not in favour of it, notwithstanding the recent vote in this Province.

31766. What do you understand by that vote?—I understand by it that nine-tenths of the votes were given, in my opinion, simply because the people thought it was respectable to vote on that side, without giving any consideration to the question itself.

31767. Is there any significance in the fact that so many people thought it respectable to vote on that side?—The significance largely arises from this, that our clergymen have taken a very great deal of interest, and properly so, no doubt, in trying to stem the evils of intemperance. I think our church-going people very often, without considering the question at all in its practical bearing and as to whether such a measure would be likely to prove successful, have voted for a prohibition measure. At the same time, I do not think that the people to-morrow would feel sufficiently interested in the subject to assist in any way the officers of the law in carrying out such a measure. I do not believe any large number of them would make it a special object to do so.

31768. That is a matter of opinion, because we have not had the opportunity. But do you think the church-going people to whom you have referred and who have rolled up so large a vote are the people who do not give consideration to the practical bearing of matters like this, and do you believe that the consideration of the practical bearing of this question rests exclusively with those who are of the other way of thinking?—My opinion is that, and it is derived from some little experience. We had an extreme way of regarding temperance in Ontario, where I lived. All the counties surrounding the little town where I resided for 25 years voted in favour of the adoption of the Scott Act. That Act was carried by majorities, very much in the same way as this vote has been carried in regard to prohibition; but in a few years the utter absurdity of the Act in its effects upon intoxication became plain to every one, and the people were almost unanimous in desiring to do away with the law. That leads me to believe that the same course will be taken here by those who have voted in favour of prohibition without giving any consideration whatever to the question in its practical bearings. As soon as they have witnessed the attempt to carry out prohibition, they will come to the same conclusion as did the people in Wellington, Grey and Bruce and other counties surrounding the county in which I lived.

31769. Take the Maritime Provinces, that adopted the Scott Act in a majority of the counties in Nova Scotia, New Brunswick and Prince Edward Island, repeated attempts have been made to repeal the Act, but in very few cases has it been repealed. How do you account for that condition of affairs?—It may be owing to some local state of affairs. I am only speaking from experience and from what I have seen.

31770. Do you think the same state of things would obtain here; might not the same state of things obtain here as obtains now in the Maritime Provinces?—I do not think so. Take, for instance, breweries. Every farmer in the country is well aware that the breweries are of immense value to him, as offering him a market for the crop of barley for which he has very little sale. The same might be said in respect to rye, which is used in the distilling of whisky. Where the material interests of so large a body of people are affected, and will be affected injuriously by any attempt at prohibition, I do not think the same condition would apply to New Brunswick and Nova Scotia, where the people do not depend on cereals; they have no special crops of cereals, and are in a different position for that reason. That is one reason why I think the experience of the Maritime Provinces would not be borne out here.

31771. You think the breweries are very valuable to the farmers?—I do.

31772. Do you think, if the breweries did not purchase certain products from the farmers, they would be able to find markets for this produce at remunerative prices? They experience very great difficulty in finding a market for their coarse grains now, and indeed this is one of the problems requiring solution, in order to ensure the prosperity of this great agricultural country.



31773. You have spoken in favour of a rigid license law?—Yes.

31774. Would you have certain prohibitions as to hours?—Certainly.

31775. Would you prohibit sale during certain hours on the Sabbath?—Certainly.

31776. And also sale to minors, and Indians, and drunken men?—Yes.

31777. And also sale on election day?—Yes.

31778. And certain other restrictions?—Yes.

31779. Why these prohibitions?—I think these are prohibitions which can be, to a certain extent, carried out.

31780. Are they carried out?—They are, to a certain extent.

31781. Are the prohibitive provisions of the license law carried out?—I think they are not carried out; but I know, in fact I feel positive that when these prohibitive measures and these obstacles are not in the way of free selling of liquor other than at proper times, there is a great deal more drunkenness both on Sunday and on election days. We would have a repetition of the old quarrels that formerly occurred on election days if the free selling of intoxicants were permitted, quarrels and disturbances which do not occur now.

31782. Why is the sale of liquor on election day prohibited?—For many reasons. One reason is that it prevents the influence which the free selling or giving of liquor has upon the electorate, which influence no doubt differs in portions of the same constituency. Another reason is, that it conduces to the better preservation of order and the prevention of the unseemly quarrels that formerly took place at many of our elections.

31783. It is conceded, then, that the sale of drink does produce these undesirable effects on election day, and in a certain degree on other days. If it is well to prohibit the sale for the sake of producing these beneficial results on election days, would it not be well, in order to secure similar results, to prohibit it on other days?—I think not. I do not think the argument could be carried to that point, simply for the reason that I do not think public opinion would back up any effort of that kind to carry the law into effect, and I do not think public opinion would back up the officers of the law in carrying out any such extreme measure as total prohibition.

31784. You do not regard the expression of the public will at the plebiscite as a true expression of public opinion?—I do not.

31785. Are people in the habit of doing that kind of thing for fun, as was stated yesterday?—It is very difficult to understand why the people do certain things. It is a very common observation that in many cases the populace will follow one another like sheep, without thinking for a moment the reason why. I think that is about the way in which this plebiscite vote has been carried in this country. I do not think the people have taken the trouble to think at all about it.

31786. Do you think the people who voted "Nay" did it thoughtfully or unthoughtfully?—I think they probably thought it was right to object to it.

31787. Do you think from your knowledge, that they are people who generally act after serious thought, having in view the welfare of the country at large; while the other party, led by the clergy as you have stated, are people who do the unthinking acts and vote on one side because it is respectable to do so?—I think in regard to the larger bulk of the people that is true. The men who voted "Nay" would not have voted that way without thinking somewhat on the subject.

31788. It has been suggested that a good many of the votes, perhaps the majority of them, were Conservative votes, given with the view of placing the Provincial Government in a "box." That was the phrase used. Has it occurred to you that there was anything in that assertion?—I cannot think so, and I do not believe there is any reason for such a statement being made.

31789. It was so suggested by one of the witnesses, and I did not know but that this might be your opinion?—No.

31790. You are a physician, I understand, and you hold an official position, being in charge of the Indians in Manitoba?—Yes.

31791. Have you found that the use of liquor is injurious to Indians physically or otherwise?—I find this, that Indians if given liquor become almost maniacs, even with very small quantities. Liquor certainly changes the character of the Indian very much indeed, much more so than that of the white man.

GEORGE TURNER ORTON.



31792. Is not the Government careful to prohibit the introduction of liquor upon Government Indian reserves?—Yes.

31793. Have you been successful in keeping liquor away from the Indians, and has its absence produced excellent effects?—Certainly, in the outlying districts. But while it is strictly prohibited on the reserves, it is a well-known fact that when Indians come to Winnipeg or Selkirk they can get all the liquor they want. There are always people who are ready to make money by engaging in this illicit traffic.

31794. Then the prohibitions concerning Indians are violated?—Yes.

31795. Has it occurred to you that since such is the case, it would be very well to authorize some people there to sell to Indians?—No.

31796-97. Why not?—I think the Indian race differs greatly from the white race. The restrictions of civilization in many other ways besides this which we are discussing, have by degrees elevated the white population to such a height, with the great advance in the sciences and higher cultivation in every way, as to enable them to indulge in spirituous liquors of different descriptions and stimulants to a very large extent without receiving any injury, and in many cases with great benefit to the race. I do not think such could occur among the ill-cultured and ill-informed Indians, because my experience is that if they take liquor at all they always take it to excess.

31798. Then you think that for the purpose of civilization, it is well to keep it away from them?—Yes.

31799. Are they making progress?—Yes.

31800. It is slow progress, I suppose, yet it can be noticed?—Yes.

31801. Do you think they will ever come to a condition when they can be put on the same plane with respect to intoxicants as the white people occupy, by education?—That is part of the general problem as to what shall be done with the Indian race. We know they will not try to earn their own living, at all events the large proportion of them, notwithstanding they see starvation before their eyes in the coming winter; they will make no effort whatever to provide for themselves.

31802. Do you find the Indians themselves are disposed to obey the liquor prohibition in regard to them?—I think many of them are.

31803. Then they see the benefit of it?—No doubt they do, at all events a great many of them do.

31804. Is it proper to infer that the greater intelligence of the white man makes him less disposed to obey the law?—That is rather a specious argument. All I can say is this, that the greater intelligence of white people enables them to use what is a great boon to humanity in one sense, and in another one of its greatest curses, in the larger majority of cases without injury to themselves, either intellectually, mentally or physically.

31805. Do you believe that the great majority of those who use intoxicants derive benefit from them?—I think the greater majority of those who use them in moderation do so.

31806. Do the great majority of those who use them at all use them in moderation?—Yes.

31807. Yet you admit it is the greatest curse when used to excess, and you think it is desirable to so restrict it, by licensing or in some other way, that these evil effects will be minimized?—Yes.

31808. You think licensing will do that?—Yes.

31809. And you would have a license law with rigid prohibitions and severe penalties for the violation of those prohibitions?—Yes.

31810. During your observation of the license law, have you observed that it regulates, to any extent, the trade?—I am very sure it does.

31811. Does it regulate the trade in Winnipeg?—I think so; it has done very great benefit here. You do not find any disturbances in any of the hotels on Sunday or during prohibited hours, such as occurred formerly when the restrictions were not so great.

31812. Does the license law lessen the amount of drinking?—I think it does to some extent, and it certainly lessens many other evils, such as quarrelling and unseemly conduct.

18183. If by this degree of prohibition which is provided under a license law, the evils can be minimized, would it be well to endeavour, if possible, to extend the prohibition and reduce the evils to nil?—I do not think so. The only prohibition beyond what we have resorted to, I think, has been tried and found unsuccessful, such restrictions as are furnished by the Scott Act, which is a local Act. When that law was brought into force, the manufacture and sale we supposed to be forbidden within the district, and yet the liquor business was continued even to a larger extent than it had been previous to the passage of that law. That is my experience. Wherever an attempt is made to enforce a law of that kind, it must fail. The people do not desire to have their liberties curtailed to too great an extent. They are willing at the same time to suffer curtailment of their liberties where they consider it is for the public good; but I do not think they are willing to submit to any curtailment in order to carry out a mere sentiment.

18184. You do not believe that if a general prohibitory enactment were passed, it could be enforced? Do you believe that such a law would have good effects?—No; evil effects.

18185. Do you think total abstinence is compatible with the best health?—I do not think it is compatible with the best health and the greatest amount of energy, both intellectually and physically. I think that the energy of a people who are total prohibitionists is nothing like the equal of that possessed by a people who take liquor in moderation, because I think there are times when a stimulant is the greatest benefit in the world, especially after great fatigue. I could give you many instances of that kind.

18186. You mean taken moderately?—Moderately, if you like.

18187. Is there any tendency in that case to need the stimulant repeatedly and in increasing quantities?—With some, it is so.

18188. Only with some?—Yes.

18189. Is habitual moderate drinking harmful?—It is just the same as it is with opium. A habit of that kind increases, if you indulge it.

18190. All things being equal, has an abstainer any better chance of life than an habitual drinker?—I do not think so; I do not think statistics will bear out any such assertion.

18191. Has the total abstainer a better chance of recovery in case of sickness or accident?—I do not think he has a better chance than the moderate drinker. There are some diseases, infectious diseases, in which the hard drinker does not combat the disease well. But take fevers and many other diseases it is generally the opinion of medical men that those who take stimulants in moderation will withstand the diseases better.

18192. Why do life insurance companies refuse risks on habitual drinkers, I am not speaking of excessive drinkers?—I am not aware that that is the case. I have been examiner for life insurance companies for over thirty years in my practice, and I do not remember a case refused where a man drank moderately and took stimulants in moderation. Probably you include those who take liquor in excess among habitual drinkers.

18193. I am referring to men drinking habitually, it may be a glass of wine at each meal or a glass of beer?—I do not think any insurance examiner, and I have been examiner for a number of companies, would do so.

18194. Are the children of the moderate drinker more likely to become intemperate than the children of the total abstainer?—I do not think so. I have even seen sons of temperance men become great drunkards, and sons of drinking men become abstainers.

18195. I spoke of the rule?—There is no rule.

18196. Have you noticed what are likely to be the effects on the offspring of intemperance on the part of the parents?—If excessive use is indulged in continuously and habitually, there are some injurious effects caused. I have not, however, observed any particular rule on this matter, and I have paid a good deal of attention on this subject.

18197. So you think, looking the matter all over, that the use of intoxicants in moderation is not harmful? Will you please define moderation? I find it is a very variable term and that the definition is wonderfully elastic?—I think we are all constituted differently, and what is moderation to one would be very great immoderation to another. We all know very well that some people can take only a very small quantity

GEORGE TURNER ORTON.

of stimulant. I have known men who could not take a teaspoonful out of an ordinary teacup without it making them almost ill.

31828. Then it is a matter of temperament, I suppose?—It is the same with many medicines and with many kinds of nourishment. Some men, if they take fish become ill, and it is so in like manner with the use of liquor. There are some who cannot take the smallest quantity; and, therefore, it is very important to them that they should know what they can bear and be guided by that amount.

31829. You have stated that some men seem to be affected by liquor, more or less, according to their temperament, and they do not appear to stop to think of that point. Would it not be well to have every man undergo a medical examination, and then he might be able to get a license to say whether he could drink or not drink?—I am afraid the process would be a very expensive one.

31830. Would that be in accordance with your view?—That is not necessary. Every man is a law to himself, and he generally knows pretty well when he is going wrong, to use a common expression.

*By Judge McDonald:*

31831. If you came across a man who cannot be a law to himself, would you interfere in such a case with those who can be laws to themselves, or would you interfere with that particular individual? Taking the man who is in the habit of drinking habitually, what would you do?—The habitual drunkard should be punished at all events.

31832. Which would you think the better remedy: to send a man to jail for a few days, or to place him in some institution with a view to permanent reformation?—Of course a man who becomes a continuous drunkard—a regular drunkard, is in a decidedly different condition from an ordinary man, and the proper way for the Government to deal with him is to treat him as if he were on that point insane. There are institutions where a man of that kind can be properly treated until he has gained command of himself and again become a rational human being.

31833. Do you know any country in the world in which there is total prohibition of the drinking of liquor?—There is in Turkey, I believe.

31834. Is it not a rule of faith there? We have the evidence of the Rev. Dr. Stewart before us, that in the Fiji Islands there is such a system of compulsory prohibition, and there only?—I have heard so.

31835. Taking Maine, where liquor has not been allowed to be sold or kept for sale, can you not make an estimate as to the effects of total abstinence, looking upon the people of Maine as a total abstinence community?—No, I cannot possibly do so.

31836. From your knowledge of the working of the Scott Act, do you consider that the people of Scott Act counties should be classed as total abstainers?—No; they never were so.

31837. You have been asked as to whether the prohibitory clauses of the license law as to election days and so on are observed. Have you considered as to whether these clauses prohibiting the sale on election days, and on Sunday, commend themselves to the judgment and conscience of a far larger portion of the community than any such measure as prohibition? Does that account for the circumstance that prohibition on these days is well observed?—I think so.

31838. From your observation and knowledge of this rule in regard to elections, is there anything to prevent the people in any place where this sale on election days is prohibited laying in on the day previous a private supply, sufficient to enable them to tide over the following day?—That is done, and we all know it.

31839. So there is no comparison between prohibition for one day and prohibition on the people permanently?—No, the circumstances are quite different.

31840. Have you seen the operation of the Scott Act in the Maritime Provinces?—No.

31841. Have you been in any place in any of the provinces where this state of things existed: where the Scott Act was enacted, and by a sort of unwritten system a plan was adopted of regularly fining the people engaged in the traffic a sufficient amount, almost equal to a heavy license?—I have not seen that.



31842. Would that be a sufficient inducement to the people to keep the enactment in force and save themselves from taxation?—I have not meant to say that it really did not cost them so much during the Scott Act time as when licenses were issued.

31843. If you found a section of the province where the Scott Act was in force and where that law was carried out, and where no effort was made to secure a second conviction, with increased fine, on third conviction, would that fact lead you to believe that such a license system, carried out efficiently, would be the best measure to adopt?—I think so; I think it has been done.

31844. In regard to the North-west Territories, where you have had some experience, are you able to form an opinion as to why less liquor went in under the permit system during the first year of its operation proportionately, than during later years, and further, that when permits increased, smuggling increased as regards the quantity admitted?—I cannot say positively that my observation would carry out that idea. With regard to the North-west Territories, there was an entirely different state of things after the construction of the C. P. R., when the people were able to live more in towns and the population was not so scattered as it was before, and when, as we all know, a great deal of liquor was consumed on account of the social conditions of the people, which, as I have stated, were entirely changed after the construction of the railway. In 1883, the road was being built through the Territories. That is the only explanation I have to offer in regard to the sale.

31845. Did the building of the railway make it much easier to bring in liquor illegally?—I believe it did to some extent. On the other hand, in other particulars it made it more difficult to bring it across the boundary.

31846. Have you any reason to know why so much was brought in by smuggling and by the railway, and why it was found impossible to prevent it?—I think that was the case very largely.

31847. In that way, I suppose, we may account for the larger quantity admitted, and which, of course, shows a large increase?—It is a well known fact that at one time the character of the liquor admitted into the North-west Territories was almost like poison, but still the people drank it. There was a very strong feeling in favour of greater liberty under the permit system. I know that as a fact, simply because people were often compelled or tempted to bring in liquors that were not fit for use, whereas by the extension of the permit system they would have been able to obtain proper, healthy and unadulterated liquors.

31848. You believe that was one end in view?—That was a very strong reason why the increase was allowed.

*By Rev. Dr. McLeod:*

31849. I notice in the report of Col. Herchmer of the North-west Mounted Police for 1888, he says:—

I believe that license is considered the remedy for all the troubles in connection with the present situation, and having lived in Manitoba in the old days, when a permit was required, and when it was only responsible people who were able to procure them, and having lived in that portion of the Province since the license law was extended to it, and having during all the time I lived there occupied positions which occasioned continually travelling over a larger section of the country than any other resident, I believe that I possess sufficient information to speak with some authority on this question, and I unhesitatingly affirm that under the permit system and the North-west Act, as then interpreted by our judges, there was less intoxication among the whites, according to population; and there can be no comparison between the quantity of liquor then supplied to Indians and the quantity they have obtained since that portion of the province was, as certain people call it, emancipated. The extraordinary powers of the North-west Mounted Police, it being in their power to search forthwith, without process of law wherever intoxicating liquors are supposed to be in possession, these powers are of no effect where permits are held, and consequently great difficulty is experienced in obtaining convictions against the dealers. Search has been frequently made by us where we were assured liquor was sold. The liquor was found but a permit was always produced to cover it. Our powers are therefore abrogated when permits are freely issued. During the year an innovation was established by licensing the sale of beer of an alcoholic strength not exceeding 4 per cent. A fair test has not yet been made, and the results are not yet apparent. So far, the number of permits issued apparently has not decreased. It will be difficult to prevent the sale of beer of greater alcoholic strength. None but a chemical expert could determine the amount of alcohol in any par-

GEORGE TURNER ORTON.



ticular beer, and therefore it would be difficult in this district to obtain a conviction for a stronger beer than that licensed. Druggists have exceptional facilities for selling, of which some have taken advantage. Whisky or brandy under the name of "tonic" exhibits quite as exhilarating effects as under its own plain name.

Have you observed that as the result of your observation in the North-west Territories?—I cannot say so, because I have not been in an equal position to judge. I would, however, be inclined to doubt it myself.

31850. Do you think Commissioner Herchmer's opportunities would be quite as good as those of any person who only visits the Territories occasionally?—I think so. You must recollect that his position as head of the Mounted Police does not place him in as good a position to find out these matters as that occupied by some other people, and he probably made these remarks from his own observation, which would extend over a very limited sphere, I should imagine, in the discharge of his duties.

31851. When you spoke about smuggling, I suppose you spoke not from your personal observation over a very large area, but from common report?—From some observation.

31852. Would it be very extensive observation?—I was backward and forward through the North-west Territories for a number of years, even after the construction of the road. I had to go to British Columbia, where I had business, every year, and of course, I had many facilities for ascertaining, through personal knowledge, that this business to which I refer is done.

31853. Speaking about the election law prohibiting the giving and sale of liquor on election days, is that law ever violated?—I have not the slightest doubt that it is. There are men who go with liquor in their pockets to the polling places, making the law a dead letter.

31854. Then there is still more or less drinking?—There is very little, comparatively speaking.

31855. Do you regard this violation of the law as demonstrative of the uselessness of the law?—I do not think it demonstrates the uselessness of the law. I think the law is very useful, in spite of the violation, to the extent indicated.

31856. If there was a prohibitory law and there were violations, would these violations demonstrate the uselessness of the law?—On account of the public feeling being really not in accord with total prohibition, a great deal of injury would be done, both to the moral character of the people and also to the people generally, by the enactment of such a law.

31857. Why, in your opinion, would it damage the character of the people, when it would be the violation of a law to prevent an evil thing and not to authorize an evil thing?—It depends on what you consider to be an evil thing.

31858. The evil of the drink trade?—I do not consider the proper and moderate use of either malt liquors or spirituous liquor, unadulterated, as a public injury.

31859. But you have stated you would place severe prohibitions around the trade?—Such as are absolutely necessary for public peace and order, and for preventing people doing an injury to their neighbours.

31860. Do you think a violation of these prohibitions has a demoralizing effect?—I think so.

31861. Would it not be as well to resort to prohibition?—I think not, because it is over a very limited extent. Of course that decision has been given by majorities of people over limited areas, and they are only occasional instances.

31862. How are we to get at public opinion? You do not attach any importance to the plebiscite in Manitoba?—We hope your Commission will do a great deal.

31863. That is why we are questioning you and other witnesses?—That is the reason I am giving you my opinions.

31864. We may not be able to obtain public opinion, as well as the people may be able to express it at the ballot box?—I think experience will show us a great deal how far the public will go. We have had experience of the Scott Act. That Act was largely encouraged by the people because they thought it might do some good, but as they found, by practical experience, it proved to be a dead letter, the people were glad to get rid of it. With that experience and with that knowledge, I think it would be

very unwise for any legislation to be enacted, either by the local or Dominion Legislature, in favour of total prohibition.

31865. Do you think the Scott Act a dead failure?—Generally it was.

31866. Do you think it would damage the trade of Winnipeg if the liquor trade were not permitted in this city?—Yes, if total prohibition were attempted in Winnipeg.

31867. I understand you have fifty licensed drink shops in Winnipeg?—They are principally hotels.

31868. These fifty licensed houses would probably gather in about \$600,000 a year. Do you think it would be an injury to the business of Winnipeg if they were no longer allowed to carry on their business and that the money would be turned into other channels?—A great deal of that money would be turned into channels in which Winnipeg would not be benefited. The people cannot keep it in their own pockets, but must use it in some way, and by employing it in different ways they benefit general trade.

31869. Do you think that the \$600,000 is as well and profitably distributed by the fifty men who obtain it as it would be by the several hundreds of men and their families who transfer the money into the hands of these fifty men for the time being? Do they really receive great benefit? I do not think they do, though of course they obtain a certain equivalent. The men probably take alcohol, in a large number of cases, because they think it adds to their own pleasure, comfort and happiness.

31870. Does it do so?—We might carry on this discussion for some time. I can, of course, give an illustration. All the toys and fancy goods in Winnipeg are of no use, and are of course not of the full value of the money paid for them; but it does not follow that these toys should be entirely done away with, simply on the ground that they are useless, for by buying them you give circulation to many a dollar.

31871. Do you consider that a dollar spent on children in this way is more properly spent than a dollar spent in liquor?—I do not think it is necessary for a father to go home in a state of "fuddle," if he conducts himself as the majority of people do. Are you assuming that the great majority of people are drunkards?

31872. Supposing he takes the toys home to the boys and girls or spends the dollar in drink and has a sort of a jolly air, feels comfortable, which is the more profitable to himself and family? Are the cases parallel?—I think they are. The use of liquor in moderation does a man's family no harm, and is perhaps less injurious to the material prosperity of his family than spending a lot of money in useless toys and decorations. At the same time, I do not see why the other should be forbidden. Why should not the children have their pleasure, and why at the same time should not a man take what is good for his health and pleasant to himself, so long as he does not take too much of it?

31873. You, as a physician, have come into contact with such families?—A great deal.

31874. Have you observed whether the drinking habits of the father have had injurious effects in any degree on domestic conditions?—I have found a great deal of unhappiness among those who have taken liquor to excess.

31875. Do a great number take liquor to excess?—No, not a great number.

31876. Do you think the number would amount to 5 per cent of the people?—I do not think so.

31877. Would it amount to 2 per cent?—Probably.

PATRICK LAWLER, of Winnipeg, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

31878. You are Governor of the Jail, I believe?—Yes.

31879. Is the jail for the county and for the city?—It is the district jail.

31880. What is the name of the district?—The Eastern Judicial District of Manitoba.

31881. How long have you resided in Winnipeg?—About 18 years.

31882. Did you come here from one of the other provinces?—No, I came here from the old country.

31883. How long have you been Governor of the jail?—About 12 years.

31884. Do you find a large proportion of the prisoners committed to jail are there through drunkenness, directly or indirectly?—Very few are committed there for drunkenness.

31885. What is done with those who are committed to jail for drunkenness?—The police dispose of them at the police station.

31886. So only a small proportion come to the jail through drunkenness?—A very small number.

31887. Of those who come to the jail on account of other offences, is there a large proportion of cases which might be attributed to drunkenness indirectly?—I record the prisoners as they come in, and obtain from them an account of the extent to which they use intoxicating liquors. I have found that about one-half have been given to the use of intoxicating liquor in excess. That is the fact as obtained from their own statements to myself.

31888. Have you reason to believe that the report is true?—I have reason to believe it is true in a good many cases.

31889. Do you find that to be the case both among males and females?—Yes.

31890. Do you find it about the same in regard to prisoners who are committed for offences that are sometimes called offences of a commercial character, such as forgery and crimes of that kind : are the parties given to the use of drink?—They are.

31891. Have you found them the same as the others in that respect?—Yes.

31892. And you have found it so in regard to people who are given to burglary?—Yes, in regard to a good many of them.

31893. About the same proportion as the others?—Yes.

31894. Have you any persons committed to jail for selling illicitly?—I have none in at present for that offence, but I had a good many in former years, about 1879, 1880 and in 1889.

31895. They were for selling liquor contrary to the license law?—Yes, and for sending liquor through the country.

31896. You have not so many cases now?—No, I have not had so many prisoners of that kind for a number of years. The chief cases occurred when the railway was going up from Rat Portage and the east ; a great many were brought up who were peddling whisky on the line.

31897. I suppose your district then had larger boundaries than it has at present?—Yes, it went as far as Port Arthur.

31898. Have you, as a citizen of Winnipeg, observed the working of the license law?—I have not given any attention to it.

31899. So far as you know, has it worked satisfactorily or otherwise?—So far as I understand, it has worked satisfactorily.

31900. Are there any amendments you desire to suggest to the Commission?—I could not say.

31901. Have you ever lived in a country where prohibition was in force?—Never.

31902. Have you ever visited such a country?—No.

31903. How many prisoners are in jail now?—Twenty-eight.

*By Rev. Dr. McLeod :*

31904. In regard to those 28 prisoners, what would be their crimes principally?—Petty larceny.

31905. Men and women both?—There are a few men in for vagrancy, no women.

31906. Are there any boys and girls about 15 and 16 years old?—No.

31907. Perhaps you do not have them committed to jail so young?—We had some young people a few years ago.

31908. Of the 28 prisoners, would you be able to judge whether most of them were drinking people or not?—I could not judge. I know that a few of them were pretty hard drinkers.

31909. So you have observed that half of the people under your charge are given to drinking, more or less?—Yes.

LOUIS W. COUTLEE of Winnipeg, Barrister, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

31910. Do you hold any official position?—I command the Field Battery here. I have held Government offices here, quite a number of them.

31911. How long have you resided in this city?—I have been here about 11 years.

31912. Have you been connected with the Canadian Pacific Railway Company?—I had some experience in the portion of the province east of here at the time of the dispute with the Province of Ontario. I had then jurisdiction in that district which was called Section B, and Section 15, and of course most of the prosecutions in that district were respecting the liquor traffic, and I was Deputy Attorney General for the Province of Manitoba.

31913. Was there any license law in force down there at that time?—No, with the exception of the Public Works Act.

31914. That Act you sought to enforce, I believe?—We were endeavouring to enforce that Act in the immediate vicinity of the railway. At that time we were under the jurisdiction of the Province of Manitoba, and we sought to enforce our own laws and to issue licenses. There were difficulties about issuing licenses within the locality covered by the Public Works Act, which was a quarter of a mile each way from the track.

31915. Did you succeed in issuing licenses?—I do not think we did. We had no opportunity of testing our own License Act, and of course there was absolute prohibition under the Public Works Act for a quarter of a mile on each side of the track.

31916. And beyond that?—There were practically no settlements whatever. The whole of the population of that district, with the exception of some lumbering camps at Lake Francis and Rainy River, was within the quarter-mile limit.

31917. Did you have any difficulty in enforcing the Act and keeping liquor from the people?—We had great difficulty, and smuggling was carried on from the north-west angle of Minnesota, which was the great smuggling point, and liquor was brought from there to the district in the vicinity of the Lake of the Woods.

31918. In what kinds of vessels was it brought?—It was brought in almost every conceivable way. It was brought in eggs. The contents of eggs were blown out, and they were filled with cheap whisky. It was also brought in coal oil cans, but that which was brought in this way was not equal to the quantities that came over the line of the Canadian Pacific Railway on hand cars.

31919. Then it was practically impossible to keep liquor from coming along the line?—We occasionally got a case against offenders.

31920. Have you yourself observed the working of prohibition in any other section of the country?—I cannot say that I have. I have noticed the effect of the law in several local option places.

31921. I believe you formerly resided at Hull, where there was a license law in force?—In the County of Ottawa some steps were taken to introduce the Scott Act, but

PATRICK LAWLER.



I do not recollect any place in which it was ever passed ; I know that it was in force at one time in Pontiac, but that was quite a while ago. Of course prohibition is in force in the State of Maine.

31922. Have you ever been there ?—Yes, very frequently in the summer months.

31923. How was the law observed there ?—It was practically not observed.

31924. Were you able to get liquor ?—I had no difficulty about getting liquor, except that I had to go down to the cellar for it ; but in the hotels, you had not even to do that.

31925. Have you had any experience in the North-west Territories ?—Very little. I have, of course, been in the North-west Territories.

31926. In what part have you been ?—I have been in the eastern part. I have never been there sufficiently long to enable me to express an opinion ; in fact, I am not competent to express an opinion in regard to the working of that law.

31927. Have you considered the question of prohibition ?—I cannot say that I have studied the question of prohibition as it is generally understood.

31928. I mean the prohibition of the manufacture, importation and sale of liquor ?—Quite so.

31929. Judging from your experience in the cases you have spoken of, do you consider it would be feasible to enforce such a law ?—I do not think it would be possible to enforce such a law, prohibiting the sale, unless the manufacture and importation were also prohibited, and that, I suppose, would not be possible with our boundary. You might prohibit the manufacture to a large extent, but our boundary is so extensive I am certain there would be smuggling.

31930. Were there any illicit stills in the North-west Territories ?—I am not certain about there being any there ; we formerly had them in the County of Ottawa.

31931. What articles did they use in making the liquor ?—They generally used potatoes.

31932. We found in the Province of Quebec that the illicit stills largely used molasses : was that also used in Ottawa ?—Stills were found in which the Inspectors said molasses had been used.

ALEXANDER A. AIRD, of Winnipeg, Clerk of the Police Court, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

31933. How long have you resided in Winnipeg ?—Nearly 11 years.

31934. How long have you been Clerk of the Police Court ?—A little over 10 years.

31935. Did you come from one of the other provinces ?—I came from Ontario.

31936. What part of Ontario ?—In the vicinity of Cobourg.

31937. Was a prohibitory enactment in force there ?—The Scott Act has been in force there for some time.

31938. How did you find it work there ?—It did not work very well.

31939. That would be in the Counties of Northumberland and Durham ?—Yes.

31940. Then you did not find it a success ?—No.

31941. It was not successfully enforced, I suppose ?—It was not enforced, and there was no machinery with which to enforce it.

31942. Have you seen prohibition in force in any other country ?—No.

31943. The Commission had evidence from the Police Magistrate in regard to the city police court, and he told the Commissioners that the persons charged with drunkenness averaged about two a day for the business days of the court. Do you agree with him in that statement ?—That would be for the total days in the year ; you could not consider it for business days, because there are drunkards on Sunday. The large proportion of the drunkards are repeaters.

31944. Are there more convictions than individuals?—Yes.

31945. Have you many known as the class of repeaters, on Sunday?—I suppose there are about 15.

31946. Have you any that repeat very often?—There are some.

31947. Judging from your experience with such cases, do you think a better system to adopt would be to keep on the present system of dealing with these people, or to lock them up in some institution for a certain length of time? I think it would be better to place them in some institution for a time.

31948. Do you mean an asylum?—Yes.

31949. Do you find these terms of imprisonment have any reformatory effect?—I think not.

31950. Can you state the number of persons convicted last year for drunkenness?—About 560.

31951. How many other cases were tried in the court?—About 1,260 cases were tried.

31952. Were there any of the other cases attributable to drunkenness?—Some of them.

31953. Do you mean assaults and offences of that kind?—I do not remember assaults, but I remember some larceny cases were attributed to drunkenness.

31954. From your official experience, are you able to suggest any amendment in the law respecting the sale of intoxicating liquor?—I have not considered the question.

*By Rev. Dr. McLeod :*

31955. Have you a statement of the number of arrests for drunkenness for this year, I mean the year ending 30th September, 1892?—I do not remember the figures.

31956. Was there any increase or decrease of cases?—There was an increase in the total number of cases, but I think a decrease in the cases of drunkenness.

31957. Do you have many cases of juvenile offenders?—Very few.

31958. Are you able to say whether any proportion of the thefts, cases of vagrancy and offences by children are attributable, if not to the drinking of the persons themselves, to the drinking of parents or guardians?—Some cases of petty larceny and some other cases are attributable to that cause, and also some cases of vagrancy. Some of these people do nothing but beg, and when they obtain alms they spend the money on drink. Those cases are attributable to the use of liquor.

31959. Leaving the drunks aside altogether: of the other cases that come before your court, are you in a position to say whether any proportion of them are directly or indirectly attributable to the drink habit and to the drink trade?—I can say that some of them are.

31960. What proportion: do you think 25 per cent?—No, I do not think so. In my opinion, I would be safe in saying 10 per cent of them.

31961. Of all offences, other than drunkenness, that come before you, how many of the offenders are drunkards?—It is a hard matter for me to tell.

31962. Would 10 per cent of them be drunkards?—I could not form an opinion. There are many cases of breaches of the by-laws, and of course I know nothing of the habits of the people.

31963. Of all the offences that come before you, are the offenders made up of drinkers largely?—They are about 50 per cent.

31964. Then about half the cases you have to deal with are for drunkenness?—Yes.

CHARLES J. BROWN, of Winnipeg, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

31965. What is your business or occupation?—I am City Clerk, of Winnipeg.

31966. How long have you resided here?—20 years.

31967. Did you come from one of the other provinces?—I came from Kingston.

31968. How long have you been City Clerk?—A little over 9 years.

31969. Does Winnipeg obtain any revenue from licenses?—It does.

31970. Can you tell what was the amount of the revenue last year?—No, I cannot; that is outside of my department. Mr. Currie is the Comptroller; the money does not pass through my hands.

31971. Then you do not know what sum was accounted for?—From all sources the amount was something like \$34,000.

31972. I see by a paper handed to me, which appears to be assessment for the fiscal year ending April, 1893, the estimated revenue, other than taxation, is as follows: hotel licenses, \$6,000; restaurants, \$1,750; wholesale liquor, \$1,800, out of a total revenue received for licenses of \$19,190. That is an official statement, I suppose?—Yes, that is the estimate that was adopted.

31973. Have you, as a citizen of Winnipeg, observed the working of the license law: is it satisfactory?—I have not given any attention to it. In fact, I am very little in town, and I spend very little of my time when I am in town outside of the office. I do not go round, and I know very little about it.

COLIN INKSTER of Kildonan, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

31974. For what district are you Sheriff?—I am Sheriff of the Eastern Judicial District of Manitoba.

31975. How long have you held the position?—I have been Sheriff since 1876.

31976. Are you a native of the province?—I am.

31977. So your memory goes back to the days before the province became a part of the Canadian Confederacy. What system was in force in the old days, before this province became part of the Confederacy, in regard to the sale of liquor?—There was a license law. It was managed by the Hudson Bay Company and by the Council of Assiniboia.

31978. By whose authority was the Council itself appointed?—By authority of the Hudson Bay Company.

31979. Was it made up principally of Hudson Bay factors and officers of the Company?—No.

31980. Then was it chiefly composed of people drawn from outside?—Yes, chiefly.

31981. Were you one of the Council?—No, but my father was.

31982. Did the Council have a regular system of licenses at that time?—Yes.

31983. Was the number limited?—I do not think the number was limited, but I do not recollect.

31984. Was the license fee large?—Yes.

31985. Do you remember the amount?—I forget the amount of the fee.

31986. Was there any limit as to the kind of liquor that should be sold, or was it both spirituous and fermented?—It was both.

31987. Was there any limit as to the people to whom it should be sold?—I could not say as to that. I do not know whether Indians were allowed to buy it or not.

31988. Was there any limit as to hours of sale?—Yes.

31989. What was the limit?—I do not know.

31990. Was sale allowed to go on during Sunday?—No, not on Sunday.

31991. Did that law prevail over the whole of the Hudson Bay Country?—Only over the District of Assiniboia, within a radius of 50 miles from Fort Garry.

31992. Then you have no recollection as to whether there was much drinking in those days?—I may say that drinking was more fashionable in those days than it is now.

31993. Were the social habits of the people different?—Yes.

31994. I suppose liquor was used more by the people then than it is now?—No, I do not think so; but it was used more over the social board than it is, now, at meals also, and so on.

31995. Was wine used at meals?—Very little; only by the higher classes.

31996. When you spoke of the social board, I suppose you meant that when friends would call on one another liquor would be produced?—Yes.

31997. Was there much drinking at the taverns in those days?—There was very little drinking at taverns.

31998. Were there occasional wayside taverns?—There were.

31999. I suppose in those days they were regular stopping places for travellers?—Yes.

32000. Could people who kept these taverns obtain licenses from the Council of Assiniboia?—Yes.

32001. Do you know whether there was much unlawful sale without licenses in those days?—I could not say.

32002. Do you remember what kinds of liquors were used?—Chiefly Hudson's Bay rum and whisky imported from the U. S., and beer manufactured here.

32003. Then there was a brewery here in those days?—Yes.

32004. Does that brewery still exist?—The building is standing, but the business went years ago.

32005. What kind of beer was made?—I am afraid that it was a very inferior article.

32006. Was the rum of which you spoke Hudson's Bay Jamaica spirits?—They had two kinds, Jamaica and Demerara. Demerara was the better kind.

32007. You have spoken of the quantity used being more, and there being more drinking then than now?—It was considered more fashionable at that time; of course, there is a larger population in the country than there was then.

32008. Was there much drinking in those days, in your opinion?—I could not say.

32009. Comparing that time with the present time and allowing for the difference in population, would you say that there were more drinking people?—I do not think so.

32010. When Manitoba became a province of the Dominion, what law was in force at first?—There was a Provincial License Law, but it was a copy of the old Assiniboia law.

32011. It was practically adopted, I suppose, as the provincial law?—Yes.

32012. Have you, so far as your observation goes, found the present license law very well observed?—I have not given particular attention to it, but I think it is very well observed.

32013. How many miles outside of the city do you reside?—Half a mile outside of the city limits.

32014. Then, of course, you see a good deal of the city?—Yes, I am in the city every day.

32015. Of course in discharging your duties as Sheriff, you have to deal with both civic and criminal cases?—Chiefly with civil cases.

32016. Of course you have charge of the criminals sent to the penitentiary?—I have to convey them there.

32017. Have you control of the jail?—Nominally, I am at the head, but that is all.

32018. In the discharge of your official duties, do you find that a proportion, and if so how large a proportion, of the business that comes before you is in connection with the liquor traffic?—For instance you have executions, I suppose, on which you have to levy for debt?—Yes.

COLIN INKSTER.



32019. How do you find the habits of those people against whom those executions are issued?—Of those against whom executions are issued, the drunkards are the very smallest proportion; of course, it is a purely civil proceeding.

32020. Are you able to form an opinion as to whether their inability to pay their debts has been caused by the use of intoxicating liquor?—In a very small proportion of cases has it been caused by drink. I may explain that I have nothing to do with the executions of the County Court, which would most likely deal with people who do not pay their debts through drunkenness.

32021. With your long experience and your long residence in this country, can you make any suggestions to the Commission as to improvements in the law in any respect?—I cannot.

32022. Have you considered the question of general prohibition?—I have not made a sufficient study of the question to be able to give an opinion on it.

32023. Have you seen the working of a prohibitory law anywhere?—No, I have not.

32024. Supposing a general prohibitory law were enacted by the Dominion Parliament, prohibiting the manufacture, importation and sale of liquor for beverage purposes, would you consider it right that remuneration be made to the brewers and distillers for loss of plant?—I think so.

*By Rev. Dr. McLeod:*

32025. Do you think if there was a general prohibitory law, well enforced, it would produce beneficial effects?—I think it would.

*By Judge McDonald:*

32026. Have you formed an opinion as to whether such a law could be practically enforced?—I think it could be enforced only with dangerous consequences, because it would lead to smuggling.

*By Rev. Dr. McLeod:*

32027. Do you think smuggling would be more serious in its effects than the drink trade itself?—I could not say.

*By Judge McDonald:*

32028. Do I understand that you think liquor would be smuggled into this country?—Yes.

32029. And the people would have liquor at any rate?—Yes, at any rate.

*By Rev. Dr. McLeod:*

32030. Do you think that the smuggling which would result from prohibition would be more serious to deal with than the liquor trade itself?—I think it would.

32031. Have you observed whether the drink trade has any serious effects on the community?—When drink is used to excess, I think it has.

32032. Do you believe that there are evil effects produced by it?—I do not think so.

32033. Do you believe that the trade is a help to the community?—That I could not say.

32034. I think you have said that drinking is less fashionable than formerly: why is it less fashionable?—I think it is so, owing to public opinion.

32035. And do you believe that change in public opinion is really a sign of improvement?—I think it is.

32036. Do you think the drink trade is regarded with the same favour as it was regarded in former years?—It is not.

32037. Do you think it is a good thing that it is not regarded with the same favour?—I think it is.

HENRY M. DRUMMOND, of Winnipeg, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

32038. How long have you resided in Winnipeg?—Over 20 years.

32039. What is your present position?—Assistant Receiver General, Dominion Auditor and Manager Dominion Savings Bank.

32040. How long have you held your present position?—13 or 14 years.

32041. Did you come formerly from the Province of Ontario?—Yes.

32042. Have you any acquaintance with the working of the liquor law of that province?—Not particularly.

32043. Have you had any official connection with the law there?—None whatever.

32044. Do you know anything as to the working of the revenue law in connection with it?—For ten years the customs receipts came through my hands, but not since that time.

32045. You do not have anything to do with the revenue as Assistant Receiver General?—No, nothing but the issue and redemption of Dominion money.

32046. Have you had any experience of the working of a prohibitory law at any time?—No.

32047. Have you ever lived in a prohibitory town?—No ; I have been so long here.

32048. Have you been in the North-west Territories?—No.

32049. Have you studied the question of prohibition?—Not seriously.

32050. Supposing a prohibitory law to be passed, doing away with the importation, manufacture and sale of liquor for beverage purposes, do you think it right and proper that brewers and distillers should be recouped for the loss of their plant?—I think they should.

*By Rev. Dr. McLeod :*

32051. Why would you compensate brewers and distillers?—They have a legalized business, and of course, if it is taken away from them, they should be compensated.

32052. It is legalized, we understand, from year to year, by reason of the license they obtain?—I suppose it is.

32053. If the trade was abolished, why should they have any claim on the public funds beyond the claim of other men whose business would be affected by ordinary events?—I think it would be equivalent to doing away with a business and leaving the people engaged in it without any recompense.

32054. Does it not occur to you, in considering the question of these other individuals, that the rule has been not to give any compensation in case of a change in the tariff?—In the majority of cases such has been the case.

JOHN W. SIFTON, of Winnipeg, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

32055. What is your occupation or calling?—At present I am Inspector of public institutions in the province—Asylums and Prisons.

32056. Are you appointed by the Provincial Government?—Yes.

32057. How long have you resided in Manitoba?—18 years.

32058. Did you come from one of the other provinces?—I came from Ontario.

32059. How long have you occupied your present position?—Only one year.

32060. What institutions do you inspect?—Lunatic asylums, and the Home for Incurables and the Deaf and Dumb Asylum, and all the prisons.

32061. In the whole province?—Yes.

HENRY M. DRUMMOND.

*By Rev. Dr. McLeod :*

32062. Is your appointment a provincial one?—Yes.

32063. As Inspector of prisons you make periodical visits, I suppose?—Yes.

32064. How frequently do you visit these institutions?—As often as four times a year, sometimes very much more frequently on special occasions; but of course those visits are irregularly made.

32065. What are your duties?—To find out how the prisons are conducted in every particular, how the prisons are taken care of, whether the institutions are maintained in proper order, how the prisoners are employed, and everything of that kind.

32066. Does it come within your knowledge to ascertain the causes of crime as regards the prisoners?—It does not. It comes within my knowledge, but in my report is more a matter of generalization than of detail.

32066a. Have you, as a matter of fact, looked into the causes of prisoners being in those prisons?—I have to a certain extent.

32067. What has been the result of your observation and examination?—In what way?

32068. I should like to get at this point; in the first place, how many prisons have you in Manitoba?—Three, Eastern, Central and Western, one in each judicial district.

32069. How many prisoners are there in each prison?—There are about 20 here, 5 at Portage la Prairie, and 7 at Brandon, 32 all together.

32070. Would it be possible for you to say how many of those persons are in prison for crimes that are traceable, directly or indirectly, to the drink habit?—My last report shows something over 50 per cent as being due directly to the drink habit, so far as information could be obtained, and a large number, of course, indirectly.

32071. So you think 50 per cent of the cases are directly traceable to the drink habit?—Yes, I have no doubt that the evidence will bear me out in making that statement.

32072. And a proportion of the other half are indirectly traceable to drink?—Yes.

32073. I understand you also visit the asylums?—Yes.

32074. Are there many insane persons in Manitoba asylums?—There are 130 in Selkirk and 56 in Brandon—we have two Provincial Asylums; and there are 50 or more in the Home for Incurables.

32075. Are you able to say whether the percentage of the insane to be taken care of by the province has increased or decreased, and whether any number of the insane cases are due, directly or indirectly, to drink?—I have given this matter close observation, and I am a little disappointed in the results of my observations. I can give the facts and the returns in connection with them. Those cases that are directly traceable to liquor, that is so far as my opinion goes, do not make more than 5 per cent.

32076. That is drunkenness on their own part?—Yes.

32077. The indirect cases are difficult to obtain?—Nearly all of them are from the old country or from Ontario or are foreigners, and, as I have pointed out, nearly all of them are foreigners whose histories cannot be traced. The Superintendent has, under my instructions, prepared a history in regard to this very point, so that we would be able to arrive at a decision on the matter, but the Commissioners are aware how difficult it is to obtain the requisite information.

32078. Then it is difficult to obtain those particulars from the patients themselves?—The facts is that three-fourths—I think I would be safe in stating that percentage—of the cases we have are hereditary, but the direct cause is no doubt attributable to liquor. But, as I have already stated, it is impossible to give to the Commission further information than I have already given.

32079. You are having, I believe, some difficulty in regard to the superintendence of the lunatic asylums?—I am not aware of it.

32080. So far as you are aware the returns show a comparative small percentage of cases traceable to drink, but some of the Superintendents say, and they may be regarded as experts, that the predisposing cause in a large majority of cases is alcohol?—The Superintendent says that to me.

32081. Does the Medical Superintendent live here?—No, he lives 23 miles away.

32082. Are there many people in the Home for Incurables?—There are about 50 there.

32083. Do you know anything of their histories?—There are several there from alcohol as a direct cause. Some who are able to pay for their maintenance are put there, but the greater portion of the inmates are non-paying, and the reason for their non-paying is the fact that their parents have been indicted for the excessive use of liquor.

32084. So you think that that public charge is in part traceable to drink?—It is very largely traceable to drink.

32085. What other institutions have you in charge; have you the Deaf and Dumb schools and Hospitals? I have all the hospitals in the province under my charge.

32086. Are there several of them?—There are four.

32087. In the cases in the hospitals, are you able to say whether any percentage of the cases that come into the hospitals are cases traceable to drink?—Of course, I do not know whether you refer to accidents or diseases. I do not think we have any reports that would furnish positive knowledge of that subject, because the patients are there only for one, two or three weeks, and no general history is taken of them. I am President of one of the Hospital Boards, and more than half of the non-paying patients during last year were admitted because of the influence of liquor on themselves and on their families. I think it is safe to say that the non-paying patients in other hospitals are quite as great in number.

32088. I understand that you have been a resident of this city for a long time?—Yes.

32089. Have there been any changes in the drinking habits of the people during the last 18 years of your residence?—Very great.

32090. There is less drinking than there was formerly?—I think there is less in proportion to the population.

32091. Is there a strong temperance sentiment in this community?—I think so, I have no doubt about it.

32092. How do you regard the plebiscite expression of opinion in favour of Prohibition: was it the expression of the wishes of the people in the way they meant to express themselves?—It would be a libel on the people to say anything else. They were sober and intelligent people who voted.

32093. Then you do not think they did it as a joke?—No, they have had other opportunities of voting on the question and they have voted in the same way.

32094. What were those opportunities?—The Scott Act has been carried in this Province, in three-quarters of it, in all the counties except the district of Winnipeg.

32095. Why did it not go into operation?—Because there was some flaw in the Act, in consequence of which it was declared to be invalid.

32096. So the people never had the chance of seeing whether it could be enforced or not?—No, they never had the chance. They started to enforce the law, and the case went to the Supreme Court, and the Court threw it out.

32097. Is there not a considerable portion of the territory under local option now?—Yes, a very large amount.

32098. Have you observed how that prohibition works?—I think it has worked very well. It is practically all over the province, and it seems to me there is no very great difficulty in carrying out prohibition, except in towns, especially in towns near the railway, where liquor can be smuggled in. I know we have a jail in one of the districts that is under prohibition, in which we have no prisoners and no jailer, and it does not pay to keep up the prison.

32099. Do you attribute that to the prohibition of the drink traffic?—I attribute it more largely to the fact that there is no liquor to be had there.

32100. Do you think that if a prohibitory law were in force in Manitoba, it could be fairly enforced?—It could be enforced just as well as the license law is enforced now, in fact I am inclined to think a little better.

32101. Do you know anything about the prohibitory law in the North-west Territories?—I do not; practically I know nothing about it.

JOHN W. SIFTON.



32102. I presume you have held different official positions in this Province?—Yes.

32103. What positions have you held?—I was Magistrate for a number of years, I was a member of the Local House, I was Speaker of the Local House one session. I had a great many cases before me as Magistrate during four years. I have not been occupied as such since then, but during the time I was Magistrate I had a great many cases coming before me. I lived at Selkirk at that time, I came here in connection with the construction of the C. P. R.

32104. In what position?—As contractor. I had contract No. 14, for laying 76 miles east of Selkirk.

32105. The Commissioners have been told that it is impossible to enforce prohibition here?—I should like to tell the Commission about prohibition and the possibility of enforcing it. I went there, and had 76 miles of road under my jurisdiction up to the time of its completion. I had authority under the Public Works Act to prevent the sale of liquor on that track. I decided that in my own interest, as well as in the interest of the men, I would endeavour to carry out that law. During those four years there never was any liquor sold on that contract—I say that emphatically. Liquor came in it is true, but it did not get the chance of being sold except to one man each time. I found it quite possible to enforce the Act. I could explain a few matters in connection with the reason why it was not enforced legally. There were parties who wanted to sell and trade there. It was stated that the Act would not be enforced, but several men were brought up and half a dozen men escaped. That manner of enforcing the law could not continue, so more rigid measures were requisite. The people employed on my section well knew that I desired to enforce the law, and that I would do so.

32106. I suppose that when they knew you were in earnest, the sale ceased?—I asked the assistance of Mr. Davis, who said that the only assistance I could have would be five constables, but he said at the same time that he would endeavour to assist me to carry out the law. Afterwards he sent me a communication, and I found the responsibility rested on myself, and after that I had no trouble.

32107. Did you need more constables?—I had no constable on the work, except a man who acted as foreman. I had one of the engineers appointed as Magistrate by the Governor of Keewatin, Honourable Mr. Morris, but no case came before him.

32108. So one constable succeeded in enforcing the law?—I never had a case taken before the Magistrate. I had two men brought in, but I let them both go, I did not fine them, but I obtained a promise from them that they would never be found engaged in the business again, which promises they both kept. One is in this country to-day.

32109. Have you any knowledge of prohibition in any other place? You have knowledge, I believe, of prohibition in Manitoba in earlier days?—I lived for some time in Southern California and was in two prohibition towns: one with 10,000 inhabitants near Los Angeles, Pasadena, where I was for a considerable time.

32110. And the other was what?—Riverside.

32111. How far are they from each other?—About 40 miles.

32112. From your observation, was prohibition enforced there?—I think it was the most thorough and successful thing I ever knew. They had it in Pasadena. There was one constable there, and he was also night watchman and health inspector and held two or three other offices.

32113. And did he succeed in enforcing the law?—He told me he had no trouble. He told me they would come down from Los Angeles drunk, they would get out of the train and they would be put into the lock up. It is 10 miles from Los Angeles and nearly 600 miles south of San Francisco.

32114. From your experience and observation, you believe that prohibition is possible of enforcement?—I do not think there is any doubt about it to a certain extent. I do not believe any law can be enforced thoroughly, but a law can be an educator as well as a restrainer.

32115. Is the law an educator?—I do not think there is any doubt about it.

32116. You believe that the law is a restrainer and prohibitor of evil, and educates people against that evil?—The laws are ill-advised, unless they educate in that way.

32117. Have you thought as to the propriety of granting compensation to brewers and distillers in the event of the enactment of a general prohibitory law?—Yes.

32118. What do you think about it?—So far as that is concerned, I think it should be made a matter of expediency rather than of right.

32119. As to “right”; what is your view about that?—I am not sure but we have a right to pay them something.

32120. What is the point as to the “expediency”?—I think it would be expedient to do so.

32121. Is there any other view that is worthy of consideration?—It is in my opinion a matter to be settled by the popular vote.

32122. Do you think it would pay the country to enact a general prohibitory law, if as a condition of that law, compensation should be granted to brewers and distillers?—I do not think there is any doubt about it. I have thought over the subject a great deal and I certainly think it would be a very great benefit.

32123. Have you given any consideration to the revenue side of the question?—We derive a large revenue from the sale of liquors and about \$10,000,000 in Custom duties and Excise fees.

32124. Have you given consideration to that phase of the subject?—Yes, and I have also given thought as to where we get the revenue. I have found that generally the poorer portion of the population have to pay it.

32125. Through the liquor trade?—Through the hands of the men in that trade; nobody else can pay it.

32126. Suppose that the trade was prohibited and there was lost to the Federal Government no less than \$10,000,000 do you think the country could sustain that loss?—I think, with Sir Alexander Galt, in a temperance speech which he made some years ago, that any Government that would have the courage to do away with liquor would have no trouble in raising the revenue. That was his idea.

32127. That was when he was Finance Minister?—I think at that time.

32128. Have not other Finance Ministers stated something of the same thing?—The present Finance Minister, Mr. Foster, and Sir Leonard Tilley?—Sir Alexander Galt was strong on that point, and he never hesitated to say that the revenue would not suffer.

32129. I suppose you think there would be a shock at the outset in consequence of such a very radical change being made. Do you believe that financial matters would adjust themselves within a reasonable period?—I do not see why they should not adjust themselves. I remember there was an Act passed by the British Parliament in 1811, prohibiting the manufacture of liquor and raising the duties on liquor in Ireland, and it will be remembered that it did not affect the revenue; in fact, it was then that the revenue increased in other branches, so that there was not a diminution of one dollar. That is a historical event that can be found in the history of the time. I do not see why a similar result should not follow in the present case.

32130. So the financial difficulty is not an insurmountable one. Do you believe that a prohibitory law, fairly enforced, throughout the whole country, would promote the moral standing of the country?—No doubt about it. Take the places where it is in force now; take those places I have mentioned and the moral standing of the communities is high. Take the condition of affairs right in our own Province and wherever the Act is enforced, we find the same excellent condition, and there is no question but that as the sentiment of the country has increased in that direction, we have improved morally. We think we are the most moral and sober people on this continent. We think we can bear that out by statistics. We think there is no city of the same size so sober as Winnipeg.

*By Judge McDonald:*

32131. Which do you think will be brought about first, the creation of Winnipeg as the national capital or national prohibition?—I think probably we will get to national prohibition first.

32132. When you spoke of the sentiment of the province, did you mean temperance sentiment or prohibition sentiment, or do you think one is about the same as the other?—They are very much the same, and also moral sentiment.

JOHN W. SIFTON.

32133. Then you think temperance sentiment, prohibition and moral sentiment, are interchangeable terms?—I think so.

32134. Of course, you yourself would favour prohibition?—Yes.

32135. Do you think it could be enforced?—I think it would have a power brought to bear on it here that would enforce it better here than anywhere it has been tried yet.

32136. Do you mean anywhere in the Dominion of Canada?—Yes, or any part of the United States, on account of our location. We have a large territory and so our location is favourable.

32137. Do you mean to say that the opportunities are better in this province than in any other part of Canada? Or do you mean to say that Canada has better opportunities than any other country in the world for prohibition, and that Manitoba is the best part of Canada in that respect?—I do not know that I would say that.

32138. You have said that you consider prohibition, fairly well enforced, would bring about beneficial results. What do you mean by fairly well enforced?—I should say the law was fairly well enforced if the consumption of liquor was reduced say down to 10 per cent of what it is at present.

32139. Do you know anything of the working of the Maine Law?—I have spent some time in Maine.

32140. Do you mean by a prohibitory law such a law as the Maine Law?—That is about what I mean.

32141. Would you favour such a law for Manitoba?—Yes, if I could get it.

32142. Are you aware that any resident of the State of Maine may have all the liquor he pleases in his own cellar for his own use and give it away to his friends, but he must not sell it or keep it for sale?—Yes.

32143. That is the law you would favour?—Yes, I would amend my answer to that

*By Rev. Dr. McLeod :*

32144. Would you change the Maine Law in that respect?—It would depend on the consequences.

*By Judge McDonald :*

32145. Do you know that General Neal Dow in giving evidence to this Commission stated that he would not attempt to change the law in that respect?—I do not know what would be the consequences of changing the law.

32146. He would like to do so probably, but he declared it would be impossible to do so on account of public sentiment?—That is what I mean, I could not state the consequences, but I would not change it for that reason.

32147. Then we may take as your answer, that you would have a law prohibiting people keeping liquor in their houses for beverage purposes, but if you could not get that law, you would be willing to permit it to be used for domestic purposes, but not sold?—That is my opinion exactly.

32148. We now come back to your phrase “fairly well enforced.” Do you think it would be possible to enforce such a law as that which you wish to have enacted at the present time, which is a law to prevent the people obtaining any alcoholic liquors whatever?—No, I would not; I think expediency would make me beware on that point.

32149. As to your opinion that no liquor should be obtained for beverage purposes?—In two sections of the province the people have already passed such a law, the Scott Act.

32150. We understand that you voted recently in Winnipeg, and that the people declared very strongly in favour of prohibition?—Yes.

32151. Have any steps been adopted since that vote was taken, to bring into effect a law that rested entirely with the people to adopt, the Scott Act?—No, we have not taken any steps—it does not rest with us.

32152. So the people would simply vote in favour of prohibition?—The people would vote against the Scott Act.

32153. Why?—Because it failed here before.

32154. On what grounds did it fail? On a technical point; I do not know exactly what it was.



32155. Did the people ever vote to repeal it?—No, you could not get a vote to repeal it.

32156. Then temperance sentiment was strongly in its favour here?—Yes.

32157. Do you look on a license law as a sin?—No.

32158. You do not go that far?—It may be a sin to some people, but not to others.

32159. I meant to you?—It depends on circumstances. If you asked what I think about signing a man's application for a license, I would not say "yes." If it is a matter requiring the carrying out of the law, I should not think I committed any sin by carrying out the law.

32160. Do you think it is a sin to have a license law? We have had witnesses before the Commission who have looked upon license as a sin; we have even had witnesses who have declared that, as a choice between the untrammelled sale of liquor and the license law, they would infinitely prefer the untrammelled sale of liquor, because they were not responsible for that sale. I would accept of nothing that would not tend to reduce the evil.

32161. Then if you could not get prohibition, you think it would be better to have a license law rather than untrammelled sale? Yes. It was tried in Michigan, but was not a success.

32162. Do you know whether such a system has ever been in force in any part of Canada?—No.

32163. It is in force at the present time in Charlottetown, Prince Edward Island, where the people have repealed the Scott Act and have issued no licenses?—Indeed.

32164. In regard to the present question, we understand that you have prisons and asylums to visit and hospitals to inspect. Have you any reformatory institutions?—No, except the Women's and Orphans' Home.

32165. Then you have no reformatory for boys?—We had one, but we had no boys to reform and we turned it into another institution.

32166. Where is it?—At Brandon.

32167. For what purpose is it used now?—For an asylum.

32168. You stated that you have no boys to reform?—We kept it up for one year and only got one boy.

32169. You also stated that one jail has been closed up; where is that?—At Neepawa.

32170. Is it the county jail?—It is a large building.

32171. For what purpose was it used?—For the purposes of a jail.

32172. In what judicial district is it situated?—In the Central District.

32173. Is it in one of the sections where the Scott Act was passed?—No; it is situated in what was formerly a part of the North-west Territory, but which was added to the province. The people there were always in favour of the law.

32174. So the sentiment in that section was largely in favour of that Act?—Yes.

32175. Do you think that has any effect on the community? As an observing man, would you endeavour to enforce such a law before there was a strong sentiment in its favour?—Yes, before there was a large sentiment in favour of it.

32176. Have you considered the desirability of taking the sense of the people on this question, and as to whether the choice should be by a majority of votes polled or by a majority of votes on the voters list?—I have thought over the question.

32177. We find cases of this kind: Assume there are 4,500 names on the voters list. Of that number there would be polled at the Dominion election 3,000, and at a Scott Act election only 2,000?—That is common and is quite explainable.

32178. It has been suggested that if, in order to adopt the Scott Act, a majority of votes on the voters list should be needed, instead of a bare majority of the votes cast, the people could hope for a much better enforcement of the law?—That is the way it is here.

32179. Have you a local option law?—Yes. We have no such requirement as a majority, we have the two-thirds: but that is a very large majority of our municipalities.

32180. Is it the same system here as Mr. Mowat introduced into Ontario, allowing townships to vote on the question?—I do not know.

JOHN W. SIFTON.



32181. The same in regard to municipalities?—In regard to municipalities, it is the same here; but it is not a majority that is required.

32182. Do you not find that the sentiment on that question in rural districts differs very much from that which prevails in the villages and towns?—I was always of the impression that it did so. I was always afraid of the vote in towns, but the recent vote in Winnipeg has upset my calculations.

32183. Have you been in counties where the Scott Act was in force in Ontario?—No, not for a long time.

32184. There is an opinion, in some sections, that when votes are taken, the towns are apt to vote against the Act?—Yes. In our province every town has given a majority for prohibition.

32185. Therefore, you have more hope now?—I can give cases when the Scott Act was passed and the towns voted for it.

32186. It has been contended that it would be well to adopt the system by which each municipality could speak for itself: the rural districts taking the Act if they wished it, the towns also, if in favour of doing so, and that in this way there would be better chances of enforcing the law. Have you considered that question?—The objection is that liquor might be sold in the municipalities right alongside.

32187. How is Winnipeg situated in that respect to outside municipalities?—It is affected; if there is any chance.

32188. There is nothing to prevent people bringing liquor in here, I understand?—Before the License Act was introduced, the dealers kept right on with the sale. If the liquor had to be carried great distances, of course it was more difficult to supply it, but it was taken into the Territories in barrels of sugar and rice, &c. I had several cases brought before me.

32189. There is nothing to prevent people from laying in a private stock in Winnipeg and taking it home?—No.

32190. Have you any suggestions to offer to the Commission in regard to any amendment to the law?—No, I have no suggestions to offer. The license law, as we have it here, seems to be as perfect as it can be made. It is amended from time to time, and is always being improved and is working better. There is a very strong effort being made at the present time to enforce the law, stronger efforts than have ever been made before.

32191. Taking the Dominion as a whole and supposing the sentiment to be in favour of prohibition as regards the Maritime Provinces, the Province of Quebec holding the balance, Ontario being favourable, Manitoba strongly favoring and British Columbia strongly opposing it—would you favour the passing of a general prohibitory law under those circumstances?—I would favour prohibition under any circumstances.

32192. And you would let each province take care of itself?—My own idea is that the Dominion Parliament should confer the necessary power on the provinces to act, for if they have not the power to act, it would be useless for them to try to carry out a prohibitory law.

32193. Are you in favour of legislation to carry out that view?—Yes, legislation on that point; and it would settle all the difficulties on that matter and settle all the disputes. My own impression of the Scott Act is that its failure here was on account of there being no proper provision made to carry it out.

32194. We understand that under the law the fines were turned over to the municipalities in order to enable them to enforce the Act?—Yes, but there was no officer whose duty it was under the Act to carry it out. The revenue officer refused to carry it out in every instance, and he was told by his superiors that he was not compelled to do so, and that he must not take any risk.

32195. But there was no difficulty, I believe, in the local authorities carrying out the Act?—No.

32196. You may remember that in Ontario the Provincial Government kept Inspectors in Scott Act counties for the express purpose of enforcing the Act?—I know they did.

32197. In New Brunswick the Legislature made provision in the same direction?—I would do away with that difficulty here by making arrangements for the appointment of officers to carry out the Act.

32198. Then you would favour the Provincial Legislature appointing officers to carry out the law?—Yes.

32199. Then I suppose you would be willing that the proceeds of the Scott Act fines should go to meet the expense of carrying out the Act?—Yes.

WILLIAM SMALL, of Winnipeg, Carpenter, on being duly sworn, deposed as follows:—

*By Judge McDonald:*

32200. How long have you resided in Winnipeg?—Since 1884.

32201. Did you come here from Ontario?—Yes.

32202. From what part of the Province?—From Huron.

32203. Have you had any experience of the working of a prohibitory law?—No, the Scott Act was adopted after I left.

32204. Have you had any experience in regard to the working of a prohibitory law anywhere?—No.

32205. Do you hold any official position in connection with the labour societies?—Not at present.

32206. Have you held such positions?—Yes.

32207. What position have you held?—I was Vice-President of the Trades and Labour Council here, and I occupied for one year the Chair in the Assembly of the Knights of Labour.

32208. How long ago was that?—About a year ago.

32209. Have you had anything to do officially with the enforcement of the license law?—No.

32210. Have you observed the working of the license law in Winnipeg?—Yes.

32211. Do you think it works satisfactorily or the reverse?—I believe the license law is enforced as well here as it is possible to enforce it.

32212. Do you think the police perform their duties efficiently?—I believe so, that is as well as officials do in other places.

32213. Can you give the Commission any information in regard to the working of that law?—I do not think the working is satisfactory. I see a good many instances of violations of the law, and I observe that a good many cases of violation of the Sabbath observance provisions are prosecuted.

32214. Do you see drunken people on the street on the Sabbath?—Yes.

32215. Do you know that people purchase drink on the Lord's Day, or do they obtain it at home?—I cannot say, but I see them on the street.

32216. Is there much illicit sale in places not licensed?—I have no personal knowledge as to that.

32217. Do you know anything in regard to the quality of the liquor sold, whether it is pure or adulterated?—Not personally.

32218. Have you observed any of its effects that would enable you to judge?—My knowledge of anything of that kind is derived from conversations I have had with medical men as to the effects of liquor, and they lead me to this conclusion, that when liquor is cheap it is not apt to be adulterated, and that the higher you increase the price the greater the inducement to adulterate it.

32219. Have you studied the question of prohibition?—I have.

32220. At what conclusion have you arrived in regard to it?—I think it would be a decided benefit to the country to have prohibition.

32221. You would favour the passage of a prohibitory law for the whole Dominion?—Yes.

32222. Do you think such a law could be efficiently enforced at the present time?—I do not see why it should not.

JOHN W. SIFTON.

32223. Do you think it would favour smuggling and illicit stills and everything of that kind?—No doubt there would be a certain amount of that business done.

32224. Still you think it would be beneficial as a whole?—I do.

32225. Have you considered the question of granting compensation to brewers and distillers in the event of the passage of a general prohibitory law?—Yes.

32226. What is your view in regard to the matter?—As a matter of dollars and cents, I believe it would pay to recompense every brewer and distiller and saloon-keeper; but as matter of morals, I say that they should compensate us for the souls and bodies ruined. It is time for us to ask compensation.

32227. In other words, you would not give them any compensation whatever?—I would not.

32228. Would you favour a prohibitory law throughout the entire Dominion, irrespective of the state of sentiment in the different provinces? In the event of the Maritime Provinces being strongly in favour of prohibition, Quebec opposed to it, Ontario holding the balance, Manitoba in favour of it and British Columbia very strongly against it, would you, under those circumstances, favour the passing of a law for the whole country?—Probably the law would be better carried out if it were limited to provinces that were strongly in favour of it; but I would be in favour of passing a prohibitory law for the whole Dominion, simply because my observation has led me to believe, that while one man may believe in local option, twenty men believe in the total prohibition of the sale and manufacture of liquor.

32229. What is your view of a license law?—I think a license law is wrong. The State has no right to license the traffic.

32230. Do you look upon the sale of liquor as being so great an evil that the State should not license it?—The sale of liquor is an evil to the State, and the State has no right to license an evil. If the sale of liquor is not a wrong thing, then the hotel-keepers and the saloon-keepers have no right to pay for the privilege of selling liquor.

32231. So there should either be untrammelled sale or prohibition, no half-way measure, I suppose?—That would be my personal opinion, as a matter of principle. As a matter of expediency, the license law might be better than untrammelled sale. We must go as far as we can and not as far as we would.

32232. Do you look on license as a step towards prohibition?—No.

32233. Do you consider that it is standing in the way of prohibition?—I do.

32234. Do you prefer the system of untrammelled sale?—Yes; no one looking at the question from my point of view could have any other opinion.

32235. Under which system would you hope sooner to obtain prohibition: untrammelled sale or the present license law?—I sometimes think that if we had the thing in all its hideousness before us, we would want to do away with it quicker.

32236. Your feeling is, as I understand you, that the effect of untrammelled sale would be such as to create a prohibitory sentiment, which would not be created under the license law?—Yes.

32237. And further that you would be able to get prohibition all the sooner?—Another objection to the license law is that it makes the thing respectable, and I am more afraid of the respectable saloon, for my boy, than I am of the grog-shop.

*By Rev. Dr. McLeod:*

32238. What is the object of trade unions?—It is to better the condition of the workmen so far as their particular trades are concerned.

32239. Do trade unions have any rules as regards the use of liquor and drinking habits of members?—No.

32240. Do they encourage non-drinking?—I think they do.

32241. Are many members of these societies in favour of prohibition?—I believe that, as a rule, they are in favour of abolishing the liquor traffic.

32242. Have you observed that the drinking habits of mechanics have greatly interfered with their wage-earning power?—Yes.

32243. Do you think there is a change in the drinking habits, and that they are not as general among the mechanics as formerly?—Probably there is a change for the

better, but one thing that I do know is that employers are beginning to see, more so than formerly, that it is to their advantage to have sober men.

32244. How does that opinion manifest itself?—By sober men being given the preference.

32245. You think they get the preference?—They do.

32246. Take a moderate drinker, a drinker that takes something every day : is he placed in the same class as the total abstainer by his employer?—I do not think so.

32247. Is he regarded as a reliable man?—Yes; but he is likely to break down any day.

32248. Then it is not simply the man who drinks to excess, but also the man who has the drinking habit?—Men who drink to excess are on the lower grade.

32249. Then men who have the drinking habit are not looked upon by their employers as being equal to total abstainers?—They are looked upon by their employers as risky.

32250. Have you observed what proportion of time a drinking man will lose in a month on account of his drinking habits: I do not mean the man who gets drunk, but the regular drinker?—What is known as a moderate drinker may go on for years and not lose one hour of time unless through sickness induced by liquor.

32251. Have you noticed sickness to be so induced?—Yes, I know of it in my own case. Although a total abstainer now, I was not always so. I know I am not physically as good a man as I would have been if I had always been a total abstainer.

32252. You believe, in case of men drinking steadily, that while perhaps their wage-earning power may not be diminished seriously, they are of less value than total abstainers?—Yes.

32253. Then you think the licensed places are dangerous to drinkers?—I certainly think they are.

32254. Take the moderate drinker and any other drinking man: do you believe a considerable number of them would be lessened if the licensed places were not so numerous and if workshops were not surrounded by them?—I have been told that by scores.

32255. Do you believe that prohibition would be a benefit to the country at large?—I do.

*By Judge McDonald :*

32256. Can you name any employer of labour in this city who questions a man as to whether he is a total abstainer or not?—I think the Canadian Pacific Railway enforces this rule in regard to their foremen and engineers while on duty.

32257. You think they have rules to that effect?—Yes.

32258. Do you know any ordinary business in which the question is asked as to whether a man is a total abstainer or not?—Not from my own knowledge.

32259. And if an employer finds a man who through the use of intoxicating liquor is becoming incapacitated for work, he would deal with him of course.

32260. But unless he was becoming so, he would not deal with him?—No, as a rule they do not.

*By Rev. Dr. McLeod :*

32261. Taking a man who is a total abstainer and a man who is a moderate drinker, do you think an employer would almost invariably prefer the total abstainer?—Yes, I believe the majority of employers in this city would do so.

*By Judge McDonald :*

32262. And if he did not ask the question when the man came to work, how could he know as to his habits?—They soon see whether a man is efficient or not.

32263. Then they do not mind what his habits are if he is efficient?—No.

32264. Do you mean that a man who takes a glass of ale once a day is less efficient than a man who is a total abstainer?—Yes, I believe he is. A man who drinks beer, thinks beer.

WILLIAM SMALL.



32265. I suppose your opinion extends to the man who takes a glass of wine a day?  
—Yes.

32266. Or one pitcher of ale ?—Yes.

32267. Would you go so far as to say that the man who partakes of it at all is a fool ?—Yes, I think he will harm himself.

32268. No matter in how moderate a quantity ?—Yes.

*By Rev. Dr. McLeod :*

32269. You do not mean to say that in an offensive way ?—No.

32270. Have you observed whether the man who is in the habit of taking one glass of ale and continues to do so for a number of years, has a desire to increase the quantity he takes daily ?—He increases it.

*By Judge McDonald :*

32271. Have you not known hundreds of men who never went beyond the one glass ?—Yes, it is possible but improbable.

32272. Take the number of men you know : what percentage of them are men who drink to excess. Is it not a very small percentage ?—I have known very few moderate drinkers who have not gone over the mark some time or other.

32273. The question I asked was this : taking men of your acquaintance who were not total abstainers, men who do take liquor to some extent, do not those men who take it to excess form a very small percentage ?—They will take it to excess some time.

32274. All of them ?—Most of them.

32275. Will the number be a large proportion ?—Yes, I believe a large proportion at some time or another are liable to go beyond the limits of prudence.

The Commission adjourned.

WINNIPEG, October 26th, 1892.

The Commission met this day at 10 a.m.

*Present :*

JUDGE McDONALD.      REV. DR. McLEOD.

REV. JOHN STEWART of Treherne, Municipality of North Norfolk, Electoral District of Selkirk, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

32276. How far is Treherne from the border of the United States ?—About 50 miles ; we are in southern Manitoba.

32277. You are a minister of the Gospel, I understand ?—Yes,

32278. With what denomination are you connected ?—The Methodist Church.

32279. How long have you resided in Manitoba ?—Three and a half years.

32280. Did you come from one of the other provinces ?—Yes ; I have lived in York, Ontario. I came here from Ontario.

32281. From what County ?—North Lanark.

32282. Have you had any experience in the working of the Scott Act ?—Yes.

32283. In what County ?—It was in force in Brome County, after the Dunkin Act, and in Knowlton, the county town. They had prohibited licenses being granted, which they had the privilege of doing. Then again in Missisquoi.

32284. How did you find prohibition work in that section of the country ?—As well as could be reasonably expected, in view of the burdensome conditions connected with the Act.

32285. You were near the boundary line of the United States, I believe ?—Yes.

32286. Were you near Vermont State ?—Yes, about 6 miles distant ; I lived at Clarenceville in Missisquoi.

32287. Have you had any experience in the North-west Territories ?—No, I have lived in Manitoba since I came west.

32288. How long have you been in the ministry ?—I am now in my thirty-first year in the ministry.

32289. During that time, and in your work as a minister, have you experienced any difficulties owing to the intemperate habits of the people ?—Yes, but not in our own church and with our own people. We have been, however, harassed by the extent of the traffic around us.

32290. We have on file the official deliverance of your Church as made at the general conference held in Montreal, in 1890, in which strong ground is taken in favour of prohibition ? Do you personally agree in that ?—I do.

32291. Did the deliverance of that conference have the effect of binding the body as a whole, both ministers and lay-men ?—Yes, for the reason that it is our discipline. That is what we call the rules of the Church in regard to the membership. The rules provide that every man shall abstain from strong drink, and no one is allowed to partake of it except in cases of extreme necessity. Some years ago, when a boy, I entered the Church and had the privilege of voting to have reinserted the word "extreme." By some means or other the word "extreme" was left out in the discipline of the Church. The Conference decided to submit to a vote that the word "extreme" should be inserted in the rules of the church in this country, to place it in its proper place, as in the original rules of the Church. The connection would be this : the members of the Church are not allowed to use intoxicating drink except in cases of extreme necessity.

REV. JOHN STEWART.

32292. In other words, it can only be used for medicinal purposes?—Yes, in regard to the question as to the deliverance being binding upon the people: from our district meetings and our annual conferences year by year there is a deliverance on the question in order to present it in the locality or within the bounds of the district. So I should think that deliverance of the General Conference may be said to be authoritative for the whole Church.

32293. Membership is not allowed to those who use liquor as a beverage, I believe. What is the position of those who are connected with the manufacture of drink?—They are not allowed to do so.

32294. Then no person who is engaged in the manufacture or traffic is allowed to become a member of the Church?—He is liable to expulsion unless he resorts to deceit.

32295. Then any one who was engaged in the traffic at the time he applied for admission would be expelled?—That is unless some unjust man in the locality should neglect or set aside the rules of the Church.

32296. The rules of the Church would not allow him to be admitted into the Church as a member?—Quite so, I do not know of such an one who is a member in good standing of the Church; I do not know any member of the Methodist Church who either manufactures or sells liquor unless he may be a druggist who has a license.

32297. What is your opinion in regard to the use of wine at the sacrament?—There has been a great deal of laxity on the part of our own Church, but that I think is being corrected. If you will allow me, I will give an instance that came under my own notice. When in the Province of Quebec, at Knowlton in Brome County, we had a man addicted to drink who came to the sacrament at the Church in the neighbourhood. The duty of obtaining the wine was left with our recording steward. He went to the tavern and obtained a bottle of ordinary wine—the ordinary stuff they sold there—and when I presented to this man the bread he took it, and when I presented the wine he brought it towards his face and in a very excited manner thrust it back in my face. He explained afterwards that he had been addicted to drink. He said. “If I had put the goblet to my mouth I would certainly have had to swallow the contents.” I then made a vow in my own mind that I would never again present to my people fermented wine.

32298. Speaking of that matter, which I know is a question that has often been discussed, I desire to ask you whether you know there are religious bodies that will only give the communion with wine that is fermented?—Yes.

32299. Has it ever occurred to you that a man coming to the table for that purpose may have strength given him that may not be given to him at other times, and in this way save him from falling into temptation?—I do believe that. This man had only been very recently reformed, and I am sure the temptation was very strong. He was then fighting against the thirst for drink. I think it is within the privileges of our church officials to provide wine that will not have that effect. Since I resolved to provide wine of that kind to my people, I have been successful. I think it is our privilege to preserve our people from partaking of fermented wine that does not contain the intoxicating quality. Just as our families preserve the juice of the grape, I have been able to do it.

32300. May not a man have grace given to him at such a time as that to enable him to resist temptation, which he might not be able to resist on another occasion?—I do not know, but I admit that it might be possible. I think a man must receive grace from God to enable him to resist temptation on every occasion.

32301. You spoke of the recording steward going to the village tavern and procuring this bottle of wine. In your experience as a minister, have you found great difficulty in obtaining fermented wine of a pure character?—Very great difficulty until we resorted to the other means.

32302. Was there great difficulty in obtaining pure fermented wine?—I never found it pure, so far as my judgment would go. I remember that on one occasion, previous to this time to which I have referred, when the wine was provided—I do not know who secured it, but it was the official steward to the section—I tasted a little of it myself, as it was my privilege to do, and I could not have taken more than half a teaspoonful; but not being accustomed to use anything of the kind, I felt the effect of that small quantity in my head. It created dizziness, and when I got through the

ceremony several ladies came to me and questioned me in regard to the wine. They told me that it had produced on them the very same effects that it had produced on me. I could refer the Commission to a statement which I saw in the *Montreal Witness*. Good wine was advertised in the papers, and by the *Witness*, as being specially prepared by a responsible firm. I will not, of course, give the name by whom wine is specially prepared from the pure juice of the grape for sacramental purposes. The *Witness* submitted a little of that wine for analysis. It was analysed by the official analyst of the province and of the Dominion, who found that there was only 15 p.c. of grape juice in the bottle.

32303. What was the rest?—I could not say.

32304. Apart from your experiences as a minister, living as you did in Ontario and in a great many sections of the country, have you had reason to believe that in the rural districts a great deal of adulterated stuff was sold at taverns for pure wine and pure liquor?—Yes, I found that to be the case. When I lived in Brampton, I was sixteen years old and was going to school there. There was a book-keeper employed by a wholesale and retail merchant. Of course, he had a large quantity of different kinds of liquor in the cellar. The book-keeper was addicted to drinking strong drink. One day when I came down the street I noticed a number of people around the establishment and also three physicians. They had found the book-keeper in the cellar, with a young lawyer. He was in the habit of taking oil of almonds to clear off the effects of liquor during the time he was at business. He took too much, and when he was called by the proprietor, did not appear. He occupied a room in the third story and one of the clerks ran up in a great hurry and found him in a dying condition. Before any of the physicians could reach him, he was dead. It was then found that oil of bitter almonds, bluestone and strychnine were used in the adulteration of the liquor.

32305. Did you not find also in Ontario that many persons who purchased the compounds, sold under the name of liquors, were terribly affected by drinking them in small quantities?—Yes.

32306. They would become paralyzed, as it were?—Yes; there was a time at Knowlton—I was there during three years—during which I never saw a drunken man but one, on the street, and he had not got the liquor within the town, but he brought it in from an adjoining town. After he had taken some of that liquor, he acted like a madman, and he ultimately died. That is one instance.

32307. In regard to the main question as to the liquor traffic, of course you favour prohibition?—Yes.

32308. If the choice lay between licensed traffic and untrammelled sale, which would you prefer?—In regard to untrammelled sale, I think that would be an extreme measure. I would rather have a license system, but a license system has many difficulties about it. The officials who are supposed to look after the carrying out of the law are so lax in their duties that if the system were adopted, it probably would not be enforced. Of course it would be very much better than untrammelled sale. I think the license system should be amended, and the officials to whom we look for the carrying out of the law should be placed under proper bonds to do their duty. I have found that the officers of the law cannot do anything wrong before a court, and they are sworn to perform their duties. If they were compelled to carry out the law as they should do, I think it would be more satisfactory than it is at present.

32309. From your experience, do you think it would be well to make provision for a rigid and firm enforcement of the license law, and also inspection of liquors sold and as to their quality?—I certainly do. I think the officers should be permitted, where there as is a question of illicit sale, to search the premises and confiscate the liquor.

32310. Would you favour the granting of compensation to brewers and distillers in the event of the enactment of a general prohibitory law? I do not think so. I answer that question readily, because I have thought a great deal over that matter. I think any class of men who have invested their money in a business which they must know is very questionable, inasmuch as so much harm arises from the traffic, and who moreover hold their licenses only from year to year, must be aware that if a prohibitory law



were to be enacted, they were liable to lose their capital. If a prohibitory law should be enacted, I think the Government should give them an opportunity of dealing with their business and disposing of it in some way.

32311. What is the state of affairs in regard to the liquor traffic in the district where you now reside?—On May 10th, there was a vote taken on prohibition in the municipality of South Norfolk. The vote stood, I think, between 40 or 50 against, to between 200 and 300 for the local option law. It was set aside by one of the Judges of this province on the ground of some technicality. The fact is, that if the people had had the money, they would have been able to set aside the decision of the Judge because the premise on which his decision rested was not true. The law requires that an advertisement shall be inserted in the nearest newspaper to the municipality where the vote is being submitted. There was no newspaper there; Carberry is situated on the north-west of the municipality and Portage la Prairie on the north-east. They thought it would be sufficient to publish it in the Portage paper and not in Carberry, but it was held that Carberry was nearer. On such a technicality, the decision of the election was reversed. There are no licenses in the town where we live; applicants cannot get licenses.

32312. How many votes were available?—I think 1,000 for the district.

32313. And only 350 votes were given, I understand?—I have only given the figures of the vote from memory.

32314. Was there a considerable absence of the voters from the polls?—From my statement it would appear so, but I must fall back on the facts, and I understood from the municipal clerk that there was a very strong vote brought out.

32315. Of the vote that did come out, there was a very large majority in favour of local option?—Yes.

32316. The feeling of the people is such that no licenses are granted?—No licenses are granted at Treherne.

32317. Are there any licenses granted near by?—From time to time. When the local option was passed and before the issuing of the new license law, a hotel-keeper at Holland, about ten miles west of here, tried to obtain a license but has not succeeded yet.

32318. It is ten miles from your residence to the nearest tavern and no licenses are granted. Do you think there is any illicit sale?—Not any to my knowledge, and none to any great extent.

32319. Are the people prohibited from bringing in liquor for their own personal use from other places?—I think most of the liquor got in our town is brought in in that way. It would not pay them to sell liquor in quantities in view of the small sale within our town.

32320. How do you find the prohibitive provisions are carried out in regard to closing on Sunday?—In regard to Sunday, I can say that there have never been any disturbances. However, I believe there has been liquor sold. The only time that licenses were in force since I went to Treherne was during six months. The issue of the license was in dispute, and when the question of renewal came up in May or June, the town was turbulent and so disorderly that the ladies would not go on the street.

32321. Do you mean while the licenses were in force?—Yes. A small jail was built, but by the time it was finished with bolts and bars, licenses were refused, and there has never been any person placed in it.

32322. Were they residents of the place who were so turbulent?—They were parties who came in and got drunk. A horse was ridden into the bar-room with two men on its back and a third trying to get on—they brought the horse to the bar to treat him. Such conduct as that was enough to prompt the people to adopt some remedy for the evil.

32323. Would there not be a provision under the license law to enable the Inspector to bring up such a man for keeping a disorderly house?—I have no disposition to find fault with the officers appointed. The principal officer lives in this city, and it was pretty difficult to get him there in time to deal with the case. That, of course, was the trouble.

32324. Who are his deputies?—I do not know that he has any deputies there; that is also a great trouble.

32325. Under the present license law, do you think it would be well if there were officers appointed in the outer districts who could report and act with their chief in Winnipeg?—I do.

32326. Some officers appointed who would have power to act?—I think that would be a good measure. The difficulty that would still exist would be that there would not be a prosecuting officer. It is left, I understand, to the municipality to appoint a license inspector. The municipality has to appoint an officer and pay his salary and the people do not wish to pay a man's salary for such little work. There is another difficulty that exists. While there are temperance people, as a rule the majority do not wish to pay any man \$500 for working to that extent for the municipality. If the duty was entrusted to the Justice of the municipality of appointing an officer, who at the same time might be connected with some other office, such, for instance as that of head constable, in that way they would be able to raise the money, and the difficulty would be removed.

*By Rev. Dr. McLeod:*

32327. How does prohibition work in your district?—I think my answer to a similar question was, as well as we could expect under the circumstances.

32328. I did not know that that answer applied to the feeling at the provincial election, but rather to prohibition in other places?—Yes.

32329. Are you able to say anything different about the feeling in Manitoba, where you have lived and had experience of it?—I have an opportunity of judging of the feeling here. I am connected with a very large temperance lodge, with the Good Templars, and I have an opportunity of gauging the sentiment of 150 members. My pastoral duties extend to Holland, a town west, which I attend to as well as Treherne, and I know the sentiment of the people there, and the large majority are in favour of temperance principles, and I believe would be in favour of prohibition.

32330. What is the name of the polling district?—Treherne.

32331. Do you remember, if the vote rendered there was strongly in favour of prohibition?—Yes.

32332. Do you think that vote fairly represented the feelings of the people?—I do, and also the intelligent action of the people.

32333. It was not done in a panic?—No, I think it is rather too hard on the inhabitants of Manitoba to say that we are an unthinking people.

32334. You have lived near Vermont?—Yes.

32335. Did you have the opportunity of observing prohibition in the State of Vermont?—No.

32336. Then you are not able to speak with definiteness on that point?—I do not think, from what I do remember, that they were a reckless drinking people in that State, or we would have known something about it. I lived in the Eastern Townships, near the boundary line, for 15 years.

32337. The Commission has had the testimony of a gentleman in the Eastern Townships who travelled through Vermont a good deal, and who stated that prohibition had met with a good deal of success, and I thought, perhaps, you had also visited the State?—I have been across the line. I was impressed with the law there, but I would not wish to say anything about it, because I am not posted.

32338. Have you had an opportunity of comparing a community under a license law with one under prohibition, and if so, what is the result of your comparison?—I have been in seven different places within the three provinces where prohibition has been in existence in one form or another, and I have found in every case that it was beneficial, that it was against the drunkard and in favour of people who were in favour of temperance.

32339. You have stated that you have found a great deal of trouble arising from intemperance. Have you found that the drink trade has been an interference with your work as a christian worker?—Yes, in this way: I find that a man taking strong drink does not attend Divine service, and I do not often have a tavern-keeper or a rum-seller in my congregation. In conference with other ministers, I have found that their experience have been very similar to my own. In regard to habitual drinkers, I find

REV. JOHN STEWART.

that they absent themselves from service and do not attend for some time, and then they take heart and return to service. It is a difficult matter to approach a man who is a habitual drinker to try and persuade him to reform.

32340. Have you found that the drink trade, as established by license, has a demoralizing effect on the community, not only on those who are addicted to drink but upon the community at large, as it dulls their moral sense?—Yes, I believe it has such an effect. The license system gives a legitimate cast to the drink and to the fact that the bar is open. The young people are found in the evenings in the hotels; they are tempted to drink, whereas if the bar was not, and liquor was not there, the young men coming into the hotels to get their meals, as well as the older men, would not be tempted as they are now in any community where the license system exists. I think that the legalization of the drink trade gives the people a right to uphold it: they are ready to defend themselves, and they drink because they have paid money for the privilege of selling.

32341. From your thirty years' experience in pastoral work over a very large area of country, have you observed whether, to any great extent, the drink trade and drink habit are the causes which lead to crime, immorality, poverty, neglect of women and children and neglect of religion?—That question covers the ground very fairly; that has been my experience. The greater part of the evils I have known have originated in drink, in fact, in nearly all cases. In the town where I live there is a young merchant, who told me one time that before he was in favour of moderate drinking, but when he found that he was getting into the habit of going into the bar-room and spending money that should have been spent for groceries, he was cured of that tendency, and he is now with us. He is a Roman Catholic, I do not wish to lower him on that account—I mean to say that I am a Methodist. It might be thought that by influence I secured power over him and in that way obtained his co-operation, but he is not with our communicants, and at the same time he is a religious young man in business. His change may have taken place by reason of business principles, but still it had that effect.

32342. Do you believe that enforced prohibition would greatly benefit the country, economically and morally?—I do. If the Government granted prohibition, they could carry out the law if they would honestly endeavour to do so.

32343. You are speaking about enforced prohibition?—Yes. The question has come up in my own mind: Would there not be great difficulty in working the law? Then I have thought that if liquor were prohibited throughout the country, and its manufacture prohibited, it would not be so difficult to work the law. The only sources of trouble would be smuggling and illicit trade. At the same time, I am sure the revenue officers would be able to look after that, as they look after the drink under the license system.

DUNCAN McARTHUR, Banker, Winnipeg, submitted the following written statement:—

WINNIPEG, MANITOBA, 24th October, 1892.

The HON. JUDGE McDONALD and REV. DR. McLEOD,

Commissioners, Royal Commission on the Liquor Traffic:

DEAR SIRS,—Availing myself of the permission kindly given me by you to express my views in writing on the subject of your inquiry, I have now to say, replying *seriatim* on the various points contained in the list with which I have been furnished:—

32343a. There has been a great and beneficial change in the social customs of the people of this city and of the Province generally since the time I first came here, about twenty years ago: and this is particularly true as regards the use of spirituous liquors, although the practice of drinking prevails still to a considerable extent.

I think, as regards sobriety, that this Province will, as a whole, compare favourably with any other part of the Dominion.



2. The influence of the various churches and temperance societies which have taken up this subject has been great, and conducive in a great measure to the existing state of things. The example set by the late and the present Lieutenant-Governor of this Province in abolishing the use of all liquors at Government House has also had its value in the same direction.

3. The effect of the liquor traffic on business and in families in this Province has, speaking from my experience, been prejudicial, and this is particularly the case with regard to the use of spirituous liquors. The yearly spirituous liquor bill of Manitoba and the North-west Territories, which amounts to a considerable sum, is almost a dead loss to the community, inasmuch as those liquors are all imported and leave no equivalent of even benefit, except the profit made by the vendors. In the case of malt liquors manufactured within the province and territories, a certain benefit accrues to the manufacturers and employees and to those who furnish the barley, etc. This loss can be ill afforded by the people of a new country like this, where, although the natural resources are great, capital has not had sufficient time to accumulate to any adequate extent, and in consequence money may be expected to continue to be scarce for some time to come.

With regard to families, I am of the opinion that the sale of liquors has an injurious effect on family life, but as this touches the moral side of the question, which I understand does not enter into your investigation at present, but which after all is its greatest side, I shall not follow this point further.

4. License law licenses are obtained by application to the license commissioners, supported by petition made by a certain number of the nearest residents. The law is fairly well observed on week days and also on Sundays, as far as I am aware. I am not aware that the sale of intoxicating liquors to minors has been carried on to any great extent in this Province. As regards the Indians, who are the wards of the Dominion Government, I know that liquor has been too frequently supplied to them, perhaps not directly but through intermediary means, and as the effect of liquor on this class of people is most demoralizing, stringent measures should be taken to prevent their obtaining it, either by direct or indirect means.

With regard to the separation of liquors from groceries, I think this should be done, as the sale of liquors under grocery licenses supplies pernicious facilities in certain cases.

As to the comparative influence of hotel and saloon bars, I have to say that we have no saloon bars in this city; but before they were abolished, their effect was worse than the bars of hotels. I think it is in all cases advisable to have high license fees, inasmuch as this has the effect of limiting the number of places where drink is sold, and consequently reducing the facilities to indulge in casual and, to some extent also, to habitual drinking. I am also of the opinion that the sale of liquor should be abolished in billiard and pool rooms.

5. I am not aware that the adulteration of liquors prevails to any extent in this Province: I have never known a case of this kind to have occurred.

6. The illicit sale of liquor prevails to a certain extent, but less now than formerly. I think it is probable that it will disappear in the course of a short time.

7. I think the treatment of persistent drunkards, as long as the Government authorizes the sale of intoxicating drinks and in view of the fact that a certain percentage of the population is, owing to physiological peculiarities, unable to resist the appetite for drink when it is once acquired, should be undertaken or supervised by the Government in establishments maintained for that purpose.

8. The use of light wines and ales is doubtless preferable to stronger liquors, but in many cases they form the thin end of the wedge and in time give place to indulgence in stronger drink. In this connection it is a significant fact that the people of northern countries are more addicted to the use of ardent spirits than those of southern latitudes.

9. I have had no experience of the laws and customs of other countries on this subject.

10. (a) With regard to prohibition, I believe the principle, if duly avowed by a considerable majority of the people, is one which should be enforced.

DUNCAN MCARTHUR.



(b.) I further believe it to be practicable throughout the Dominion, if properly enforced, and eminently so in a province like Manitoba, which at present has a small population, by the majority of whom the principle has been endorsed.

(c.) In the event of prohibition being enacted, it would only be fair, in my opinion, to remunerate the distillers and brewers for their plant, etc. The capital invested in distilleries, breweries, cider mills and barrelling establishments in the Dominion is estimated at about \$16,000,000, for which, as a matter of common equity, the parties interested should receive payment. This sum, although large, is less than the liquor bill of the Dominion for one year, the amount of which for 1891, including imported and home made spirits, wines, &c., plus customs and excise duties and the cost of licenses, was a little over \$18,000,000. This estimate is at first cost. The revenue derived by the Dominion—\$6,600,000—from all classes of stimulants, could be made up by imposing slightly increased duties on other goods and by bringing within the scope of the Custom-house and excise office certain classes of goods which are at present not subject to duty.

I remain, dear sirs, yours truly,

D McARTHUR.

FREDERICK W. THOMPSON of Winnipeg, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

32344. What is your business and occupation?—I am Manager of the Ogilvie Milling Co.

32345. How long have you resided in Winnipeg?—Ten years.

32346. From what province did you come?—From the Province of Quebec.

32347. During these ten years, have you occupied your present position?—I have been employed in my present business.

32348. How many men are employed by the Company?—We employ here from sixty to seventy-five. Of course the number varies according to the work there is to do, but we have seldom less than sixty.

32349. Are they employed all the year?—Yes.

32350. Of course the output is larger sometimes than at others?—Yes, we have a large number of men employed outside.

32351. During the time you have resided here, have you observed any change in the social condition of the people in reference to the use of intoxicating liquor as a beverage?—Not particularly.

32352. In your own business have you found that you are affected injuriously by the liquor traffic?—I cannot say that I have found that we have been affected injuriously. Of course we compel sobriety on the part of our men.

32353. Do you mean that you require them to be total abstainers?—No.

32354. But simply the men must not drink to excess?—Yes ; we make insobriety the cause of immediate discharge.

32355. Do you apply any test with respect to men whom you employ, except that when men are addicted to intemperance you discharge them?—Yes, a man understands that when he engages himself with us.

32356. Do you find from observation that there is much intemperance among your men?—Very little.

32357. Have you noticed any difference in the capacity of your men as between men who do not take liquor at all and men who take it in moderation?—I have not noticed that in any way. We may have some men who probably take a glass sometimes, and I may not know about it.

32358. Then it is not noticeable to you on the part of men in your employ?—Quite so.

32359. Have you lived in a country where prohibition is in force?—I lived in Missisquoi when the Dunkin Act was in force.

32360. How was it enforced there?—I can only give my impression as a young man, probably too young, to judge of any social problem; but so far as my observation went, I was not favourably impressed with the Dunkin Act. People appeared to be able to get liquor at anytime. I also lived there after the Act was repealed, and was struck with the fact that there was less drinking in the village where I lived under license than there was while the Dunkin Act was in force.

32361. Have you made any study of the subject of prohibition?—I have not made it a study.

32362. Have you considered the question whether in case of a prohibitory law being passed, it would be right to make compensation to brewers and distillers for their plant and property rendered useless?—I have considered the question from that standpoint, and I must say that my idea is that there should be compensation paid. It is legalized as a business, and I think compensation should be granted.

32363. Have you ever had any connection with the trade yourself?—No, none whatever. I am a temperance man myself and very seldom use liquor.

32364. Then you have nothing to do with the trade?—Nothing whatever.

32365. Do you find this a sober community?—I have very often remarked that Winnipeg is a very sober city, so far as my observation goes.

*By Rev. Dr. McLeod :*

32366. You say that you exact sobriety from your employers and are very particular in regard to the drink habit prevailing among them. Are you troubled more with that habit now than in earlier years?—I cannot say that we notice any difference, it has been about the same for some time.

32367. Have you noticed whether the drink habit affects the wage-earning power of an average employee? When I say the drink habit, I do not mean excessive drinking, but the drink habit regularly indulged in, with more or less moderation—for moderation is a very elastic term. I ask that whether you have noticed that in the long run, workmen from year to year who have indulged in the drink habit, lessen their wage-earning power?—I have probably not observed that condition very closely, but I should think they would do so.

32368. Does the license system suit your views as an employer?—Of course that would depend a great deal. If a man who drinks be a clever man, we might under certain circumstances retain him, so long as he did not drink to excess. Of course if we found him drinking to excess, we would drop him.

32369. Then you look upon this matter from purely business principles?—Yes.

32370. Are most of your employees skilled mechanics or ordinary workmen?—The majority are skilled.

32371. Do your men work in gangs, and does any part of the work require a certain number of men to carry it on?—Yes.

32372. Have you ever found that the drinking habit of one man will interfere with the working of the whole gang?—Yes.

32373. Is that the reason why you will not have drinking men?—I have never had that experience.

32374. If you had a gang of six or eight men and one was a drinking man and was regular at his work, would that be an interference with the working of the others?—Not with the way we arrange the work. We always calculate to have a duplicate. We run our business on that principle.

32375. Still you would get rid of a man of that sort, I suppose?—Yes.

32376. Speaking about your observation of the Dunkin Act, I understand you to say that some years have passed since you were there?—It was over ten years ago.

32377. Do you think the prohibition of the liquor traffic by the Dunkin Act or similar enactments really induce drunkenness?—No, I would not like to say that, but I regard the Dunkin Act as a farce.

32378. Is it not a fact that there may be some defects in the appliances for its enforcement?—There may be.

FREDERICK W. THOMPSON.

32379. Or indifference on the part of officials. Perhaps you do not remember?—I do not remember.

32380. Did you say liquor was obtainable under the Dunkin Act?—Yes.

32381. Was it less easily obtainable under the license law than it was under the Dunkin Act?—There was more general sobriety.

32382. Would it be because in the one case men get the drink regularly and in the other there were spurts of drunkenness?—It may be so.

32383. Do you hold that under a prohibitory enactment a man gets drink only once in a while, whereas under the license law there is more regular drinking?—Of course, it is very difficult for me to answer that question.

32384. There is the other fact, that when a community is under prohibition, a drunken man stands out very noticeably, whereas that is not the case when the community is under license law and men are allowed to drink. Of course you would notice drunkenness in a prohibition community when we would not be struck by it in a license community?—My own opinion of prohibition as against license is, that the very fact that it is made difficult to obtain liquor, would lead to greater demoralization, to greater crime and breaking of the law.

32385. Do you attribute the sobriety of Winnipeg to the fact that the drink trade is licensed in the city?—We have not had prohibition here, and it is pretty hard to judge of the law.

32386. Then you cannot compare the two?—Communities may be different, and there may be different classes of people.

32387. Would you attribute the sobriety of Winnipeg to the facilities that are provided for purchasing drink, if a man is disposed to get drink; or would you attribute the sobriety to other influences that have operated on the people, so that they refrain from drinking?—I would prefer to give my impression as to the general sobriety of Winnipeg more from the standpoint of general prosperity. I believe that where a community is generally prosperous the people attend in a larger degree to sobriety.

32388. Is not the other side true: where people are less sober there is a less tendency to prosperity?—That might also apply; still I think the tendency of extreme depression is to create insobriety.

32389. You think men would be more discouraged?—Yes.

32390. As a business man and one having the management of one of the largest business houses and industries here, are you able to express an opinion as to the effect which the drink trade, as established, has on business generally?—I do not feel that I should express myself on that point; I think it is a very wide question.

32391. It is a purely business question, and I ask the question from you purely as a business man?—I have not made a study of it.

32392. As to compensation: you think the brewers and distillers might well be compensated if prohibition were enacted. Suppose in the change of the tariff law, your business were injured and practically destroyed, do you think your firm should be compensated?—I do not think the time has come yet when it is necessary to consider that matter.

32393. Yours is a legalized business, of course?—We are not paying a license.

REV. DR. MCLEOD.—That places you in a stronger position, for the brewers and distillers pay licenses simply for twelve months and at the end of twelve months they may go out of business.

JUDGE McDONALD.—Nor does the law require you to provide a certain kind of material or apparatus.

*By Rev. Dr. McLeod:*

32394. The question of trade is one that embraces all countries. Of course, in the event of a prohibition law being made general throughout the Dominion, it would have no effect on the manufacturing interests of other countries. So it may be stated that the plant might be removed to another country and brewers and distillers might have the opportunity of carrying on there, as a legitimate business, a business which then would be shut out here? Is it not a fact that every business man takes risks when he invests his capital?—That is true.

32395. He takes risks in regard to the changes in the tariff and other matters?—Take our own business: we might have to adjust our business to meet the changed conditions of the tariff.

32396. Of course that would involve loss?—It would involve loss, and we might be compelled to reduce our wages or to reduce the cost of our raw material. We might not be driven out of the business, but at all events, we might be compelled to meet the changed conditions.

32397. Do you think that if employees were compelled to accept reduced wages they would also have a fair claim for compensation, or if the farmers were compelled to take less prices for their raw material, they would also have a fair claim for compensation?—If the market failed owing to the changed conditions, I do not think that would apply.

32398. I will not press the question further, but I thought you had given some thought to it as a business man, and I only put this question because it might seem to some people that all these things are on the same footing; and if there is any difference, the distillers and brewers might not seem to have the same claim, because their business is different from the others in this, that it is subject to restrictions and subject also to license from year to year, and they have to obtain authority from year to year to conduct their business, whereas your business goes on without any special authority, no one denying your right?—Yes.

*By Judge McDonald:*

32399. Your business, of course, might be closed by the enactment of a trade law. Supposing the Dominion Parliament passed a law directing that you should not manufacture flour for the future, would you not consider that Parliament, as representing the country, should remunerate you?—I should certainly do so.

32400. It must be remembered that we are not speaking now of the results of legislation indirectly, but of legislation directly, at a particular business with a view of suppressing it, and at a business which has been legalized and is legalized to-day. The question arises whether in this connection it would not be just to make compensation to parties whose capital is invested in the business?—My opinion of the matter is, that there should be compensation given when the Government by legislation takes steps to close up entirely a business. Of course, a vast amount of money has been expended in buildings and so on.

*By Rev. Dr. McLeod:*

32401. Do you understand there is any difference between a man factory for flour and a distillery or brewery; are they different in character?—In what way

32402. Does their legitimacy differ?—Yes.

32403. Your industry is right in the very nature of things, I suppose?—Yes.

32404. The other is a legalized business, which has the authority of the Government from year to year?—Yes, and is thus recognized.



ANDREW DYKES, of Winnipeg, Tea Merchant, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

32405. How long have you resided in Winnipeg?—A little over 10 years.

32406. Did you come here from one of the other provinces?—I came here from Massachusetts.

32407. Have you been all the time since you came here engaged in the same line of business?—Not all the whole time; I have been seven years engaged in the same line.

32408. Are you in the wholesale or retail?—In the retail.

32409. Have you ever lived in a country where prohibition was the law?—I have lived in localities where prohibition was in force.

32410. Where?—In Melrose, Massachusetts. There was local option there.

32411. Was it continued from year to year by the vote of the people?—Yes.

32412. How large a place is it?—The population is 5,000.

32413. Is it a township or a town?—It is a town.

32414. Is it governed by a Mayor and Council, or by Select Men?—Neither.

32415. Who governs the affairs of the town?—The men are more like Commissioners.

32416. Do you hold a town's meeting?—Yes.

32417. How was prohibition carried?—By the vote of the people.

32418. Is a vote taken of necessity every year?—No, every third year they have a right to repeal the law; but it was never repealed while I was there.

32419. Did the law work well?—Yes.

32420. Did it work well in regard to the sale of liquor?—There were occasionally breaches of the law.

32421. You have stated that the population was about 5,000; how large would the territory be? Would it be one mile each way?—It would probably cover three and a half miles or three miles square.

32422. How was the law in that section of the country adopted?—It was in connection with license.

32423. So the people could bring it in or not, according to their own desire?—Certainly.

32424. Could the people bring in liquor for their own use?—Certainly.

32425. Then, prohibition would not prevent the sale and keeping for sale of liquor?—There was a hotel license.

32426. What were the difficulties you encountered in carrying out the law?—The only difficulty we ever encountered was illicit sale.

32427. By whom was it carried on?—By houses of prostitution, generally.

32428. What class of people went into these houses to get liquor?—The best and most intelligent.

32429. Was no attempt made to stop them?—Yes.

32430. Successfully?—Yes, very successfully.

32431. Were they done away with altogether?—For the time being. The penalty was \$100 fine, and on second conviction notice to quit. All the places where liquor was sold were declared to be a public nuisance.

32432. Did new places spring up?—Occasionally.

32433. Would new people come in?—Very rarely. The old people would generally stay there.

32434. Did the people of the more respectable classes bring liquor in from other places?—No doubt they did.

32435. Then you came here, to Winnipeg. Have you had any experience of prohibition in the North-west?—No.

32436. How have you found the license law work in Winnipeg: have you found any difficulty in regard to carrying it out?—Yes, I think we have had great difficulties.

32437. Are you opposed to a license law?—I am.

32438. Do you consider it a sin to license the traffic?—I am not able to say that it is right to license the traffic ; I do not think it is right to license a wrong.

32439. From your point of view, the only correct course is entire prohibition?—Yes, entire prohibition.

32440. Suppose you had the choice between a license law and no restriction, which would you prefer?—I would vote for no restriction in preference to a license law. Its demoralizing effects would remedy themselves.

32441. In case of non-restriction, you would not feel that you were bound, as a citizen, by the making of the law?—No, if it became a matter of compulsion to choose between the two, I would vote for untrammelled sale. If it is a legitimate trade it should not be licensed.

32442. Holding your view, then, your choice would be total prohibition?—Certainly.

32443. In such a case, would you make compensation to the distillers and brewers, for the loss of their plant, in the event of a general prohibitory law being enacted?—I would not. No other trade receives compensation if that trade is done away with.

32444. What trade has been done away with?—I saw the old stages running.

32445. What state did away with them?—The railways.

32446. Then they were not done away with by legislation?—Legislation for the railways had to be carried.

32447. No one prevented the stages from running, I believe. Supposing Great Britain had decided that no man should drive a stage, but that the whole business should be done away with, should not those people then have been compensated?—That is impossible. The equivalent was done, for laws were passed which drove the stage coaches away.

32448. How would you put a stop to the manufacture of intoxicating liquor—by what instrumentality?—By law.

32449. If the Legislature, after licensing the stages and requiring a certain class of stage to be run and other requirements to be fulfilled, had then turned round and declared that no stages whatever should be allowed to run, would there not have been a fair claim for compensation?—No ; because they were licensed for a limited time.

32450. And you take the same view in regard to the drink trade?—I have been in the liquor traffic. A license was granted to me for one year.

32451. To manufacture and sell?—Yes.

32452. Where was it?—In Leeds, Yorkshire.

32453. What did you manufacture?—Beer ; for a period I was a brewer.

32454. What was your output in a year?—I could not give you the output ; it was ten years ago.

32455. How many barrels a year did you produce?—We would brew, perhaps, ten to fifteen barrels a week.

32456. Did you sell them yourself?—I was connected with three different places. The beer in Yorkshire is nearly all home-brewed.

32457. Then it is pure brew?—Yes.

32458. Is it made from hops?—Pure hops and malt ; but it is greatly adulterated after it leaves the brewer.

32459. So, at all events, you look upon the whole article as impure?—No, I think beer if properly brewed is pure.

32460. Supposing such beer as you made was the only beer used, would you be satisfied to have it used?—No.

32461. You would do away with it?—Yes, I think it is harmful.

32462. Is it harmful from every point of view?—Yes.

32463. So when you speak of the beer being pure, you mean the compounds were pure?—Yes.

32464. Did you go out of the business before you left England?—Yes.

32465. Did you become convinced of the wrong of it?—I did, it was a wrong all the time I was in it.

32466. Did that strike you while you were in it.—It did.

32467. Do you consider you were the cause of injury to your fellow men?—I do.

ANDREW DYKES.

32468. How long were you in this state of mind before you gave up brewing?—For at least two years out of the three.

32469. Then you gave it up?—I did.

32470. So really it was a matter of conscience that compelled you to give up the traffic?—Yes.

32471. And it was done by your own act, not by any legislation?—Quite so. Speaking of prohibition we had an instance in this city.

32472. What was that?—It was doing away with the license of the London Hotel near the Canadian Pacific Railway. The Canadian Pacific Railway employees largely petitioned against granting the license, and the people in the neighbourhood also did so; and the license was not granted. There was no compensation given to the man, notwithstanding the fact that the license was taken away, and he was right in the city of Winnipeg.

32473. What was taken away from him?—The license.

32474. What else?—If you take away the license he has no right to sell spirits and liquors, and when he lost that, the house had to shut up.

32475. Have you any suggestions to make to the Commission, from your experience as to improvements in the license law, if the license law is to be kept in force?—I would have all laws enforced.

32476. Do you think the law is not enforced at present?—Decidedly not.

32477. In what way?—The law in Manitoba, as it stands, is a good law if it were well enforced.

32478. You think, then, the officers do not enforce it?—No, there is no officer appointed to enforce it, or rather there is only one.

32479. Of course then, he has too heavy work to perform?—Yes.

32480. Do you think the proper course would be to have more officers appointed by the Government?—Yes, by the Government, and they could see that the law is properly observed.

32481. If there is to be a license law, would you favour a rigid and strict inspection of liquors to see that they were pure?—Yes.

32482. Have you considered the question of high license and a limitation of the number of licenses issued?—The number is limited now.

32483. I mean a limitation of the number so as to bring it down to a very small limit?—I would prefer anything that would limit the number; I would rather not have them at all, but I would certainly limit the number. The fewer we have the less evil.

32484. Are there any other suggestions you desire to offer to the Commission?—I do not know of any.

*By Rev. Dr. McLeod:*

32485. You evidently hold strong opinions as to the character of the drink trade, that it is not beneficial to humanity in any respect?—That is what I say.

32486. Have you noticed that the liquor trade, as carried on, affects other branches of business?—Yes, I have.

32487. Are they affected injuriously or beneficially?—Injuriouly.

32488. In what way?—Men who drink do less trade and are unable to pay their debts.

32489. Do you find that to be a general state of things?—Yes.

32490. Do you find the drink trade as established affects the value of property?—Yes.

32491. In what way?—I notice that in every city; in the community where the aristocracy live, they will have no licenses there.

32492. Does the granting of licenses affect the value of property in the business parts of the city? For example, will it affect the value of your property if there is a saloon established alongside of it?—Yet, it affects the value.

32493. Does it depreciate it?—Yes, from a business point of view.

32494. Does it affect your insurance?—It does.

32495. How is that?—When I was within one block from a saloon my insurance was at the rate of \$2.50 on stock, whereas a little later on account of being next door to a saloon, the Insurance Company charged \$2.75.

32496. Was the proximity of the saloon the reason of the increase?—That was the reason they gave me.

32497. Then you had to pay for being next to a saloon.—Yes, and I got no compensation.

32498. So you have a claim for compensation?—I think so: it was an injustice.

32499. I understand you to say that the license law in Winnipeg is not a success?—Yes.

32500. Is there much illicit selling?—Yes, there is very considerable.

32501. Do you think there is very general violation of the prohibitory provisions of the license law in regard to selling after hours and on Sunday?—I do.

32502. From your observation, did you ever know of a place under the license law, where the prohibitory provisions of that law were observed?—I never did.

32503. Has it been your observation that the licensees sell whenever they can?—Always.

32504. To whomsoever they can?—To whomsoever they can.

32505. Do you regard these efforts to oppose the liquor traffic to be in the interest of a certain class or in the interest of the welfare of the community?—It the interest of the welfare of the community.

32506. Supposing the liquor traffic was prohibited in Winnipeg, how would the people be benefited?—They would be greatly enriched.

32507. How?—The money spent on liquor would be spent on articles that would be of benefit, articles for the house and household comforts. A drunkard's home is always a comfortless home, and the drinker not only affects his own home but those of others.

32508. Leaving drunkards aside, have you noticed that men who cannot be called drunkards but men who drink regularly, are injuriously affected by the habit?—Yes.

32509. Are they incapacitated for business?—Yes. A man who is not generally believed to be a drinker is often known to be one in his own house, long before, even years before, it is known outside.

32510. Do you think there are moderate drinkers who drink under cover?—Yes, in my own experience of the business.

32511. Take the place in Massachusetts to which you have referred, where local option prevailed, and Winnipeg which has a license law, and compare the two places, remembering the difference in population: which is the better system, prohibition or license?—Prohibition is by far the best system.

32512. You think that if it is practically and strictly carried out, it will show greater benefits?—Every man owns his own house there, and people are often attracted to settle in such districts. There are several such localities surrounding Boston where there is total prohibition in force.

32513. Then, in your opinion, prohibition enhances the value of property?—Yes.

32514. Do you think as a business man that prohibition would be a desirable and practicable measure in this country?—Yes.

32515. Have you ever thought about the revenue question: the country derives a large revenue from the drink traffic. In your opinion, would the people become insolvent if they could not obtain these revenues?—I think not. The revenue would be easier raised without it.

32516. In what way would you adjust the matter?—Our jails would be empty and our police court machinery would not be needed.

32517. What would become of the capital invested in distilleries and breweries, and the fixtures of saloons and so on: would it lay idle?—No, it would find investment in the homes of the people.

32518. You think, then, there would be ample opportunity for investment?—Yes for all capital is needed.

32519. Then the money would not go begging here?—No. My experience has been that money does not go begging in this country.



GEORGE F. GAULT, of Winnipeg, Wholesale Merchant, on being duly sworn deposed as follows :—

*By Judge McDonald :*

32520. What is your business or occupation ?—I am a wholesale merchant, and I have in connection with my business a liquor department.

32521. As a grocer, you are engaged in the wholesale business ?—Yes.

32522. And is your liquor department also wholesale ?—Yes.

32523. The license you hold would be similar to that of a shop license. What is the smallest quantity you are allowed to sell ?—I could not say. I take no active part in the liquor department. I think a quart.

32524. Is it in unbroken packages ?—I think so.

32525. How long have you been a resident of Manitoba ?—Between 10 and 11 years.

32526. Have you been in business during all that time ?—Yes.

32527. During all the time you have been in Manitoba, have you lived in Winnipeg ?—Yes.

32528. Have you noticed any change in the social customs of the people ?—I think they are steadily improving in every way.

32529. Do you find Winnipeg to be a sober place ?—Yes, exceedingly so in my opinion.

32530. Does it compare favourably with other places ?—Yes.

32531. You refer to places where you have travelled ?—Yes, I have lived in Toronto and I have travelled a good deal.

32532. Have you ever lived in a place where a prohibitory law was in force ?—I have visited places where the Dunkin Act was in force; in those days, I think the Dunkin Act was in force in Ontario.

32533. That was before the Scott Act came in ?—Yes; I have also travelled in Ontario, not on business, through counties where the Scott Act was in force.

32534. What was the result of your observations in those places where those laws were in force; was there any sale of liquor for beverage purposes ?—I never knew any of those laws to interfere with the sale of liquor; in fact, I have always found it more difficult to refuse to drink when one of those laws was in force in a place, than elsewhere where the license law was in force.

32535. Have you had any experience in the working of a prohibitory law in the North-west Territories ?—I was in the Territories during the time the law was in force.

32536. Was it possible then to obtain liquor for beverage purposes ?—Yes.

32537. Did you notice in the communities where the license law was in force that the quality of the liquor was as good as that obtained in the city ?—I never noticed any difference. My experience in the Territories was, of course, limited.

32538. Have you made the license law in force here a study as to its provisions ?—Not as to its provisions.

32539. Have you studied the question of prohibition ?—I have thought a good deal about it.

32540. Are you favourable or unfavourable to it ?—I am unfavourable to enforced prohibition.

32541. Unfavourable to a law that would prohibit the manufacture and sale of liquor for beverage purposes ?—Yes.

32542. From your experience and observation, do you believe such a law could be passed and practically enforced ?—No.

32543. In case such a law should be passed, do you think remuneration should be made to brewers and distillers for the loss of their plant and machinery ?—Certainly I do. I think if the public wish to make experiments of that kind they should be carried out at the expense of the public. I think the business of brewing has been carried on so long, and with other similar businesses existed so long, that they ought to be respected.

32544. Have you ever travelled in France?—Yes.

32545. Have you noticed the customs of the people in regard to drinking alcoholic liquors?—My stay in France was a short one, and I am not able to express an opinion in regard to the matter.

32546. The Commission would be glad to receive any suggestions you could offer in regard to the question of the liquor traffic and its regulation?—I think the excessive use of liquor is an evil. My opinion is that heavy duties should be placed on spirituous liquor.

32547. Would you favour the reduction of the duties on light wines, and also with a view to the encouragement of their use?—I do not think the Anglo-Saxon race care anything about light wines and will not drink them. In my opinion the consumption of more ale should be encouraged to some extent, and it should be made cheaper than strong drink. I think ale is beneficial to most people.

32548. Have you considered the question which appears not to have been dealt with, particularly in other parts of the country, but which is now being dealt with in Montreal, that is, of providing in each city some amusement in the shape of parks for the people?—I think such things are a benefit, if properly conducted.

32549. I suppose your city has not yet attained that growth which would make it necessary to provide such parks and amusements?—No.

32550. Of course, when your city has attained to the size of Montreal, it will become an absolute necessity?—I think such parks are a benefit, if properly conducted.

*By Rev. Dr. McLeod:*

32551. Is the license law well observed in Winnipeg?—I cannot express an opinion, because I really do not go about the city. I believe it is observed in Winnipeg fairly well, but of course that is merely hearsay.

32552. Have you an acquaintance with any community that enables you to express an opinion as to whether a license law is anywhere well observed by the licensees?—I could not answer that question.

32553. It has been in evidence, so far as Winnipeg is concerned, that there are very general violations of the prohibitory provisions, I refer to the provisions respecting sale after hours and on Sunday?—I have seen nothing of it myself, but I could not say it was not so.

32554. You have expressed yourself as being in favour of high license. Why do you favour high license?—I think the tendency to reduce the number of people engaged in the business and to reduce the number of people who are authorized to sell liquor, is to cause licensees to endeavour to carry out the law, because no doubt a man who pays a very high license will, for his own defence, be obliged to see that people who do not hold licenses are not selling liquor. It would be a matter of business with him.

32555. Do you think the licensees would become informers in that case?—I do not know what steps would be taken, but I think high license would tend to prevent the illicit sale of liquor.

32556. It has been held by some people, that high license, instead of preventing illicit sale, would probably help it, for this reason: A man who pays a high license occupies a high class place and attracts the better class of drinkers, but there is a certain class who will not resort to such places, they want humbler places, and they will frequent places seven feet by nine feet. High license, instead of interfering with illicit sale, would simply cause such small places to be started, because there will be a demand for them by the lower classes?—I do not think there is anything in that argument. The amount of trade from the lower classes, to which you refer, would warrant one or more places, according to the population, but the business would probably be as profitable, although better conducted, as it is at present.

32557. What are the advantages of having a few places engaged in the trade? I think they would be better conducted; there would be higher classes of saloons and hotels—the business usually operates in that way.

32558. Have you known of a high license law being successfully carried out in any place?—My experience has been very limited.

GEORGE F. GAULT.

32559. The suggestion has been made to raise the price of drinks?—Yes, I certainly would do so.

32560. Would that shut out certain persons from getting drink?—I think it would tend to prevent indiscriminate drinking, which is doing a great deal of injury and which has been a great evil.

32561. Is the high class bar-room a promoter of treating, or does it deter drinking?—I think it deters it to some extent.

32562. Do you think high class places lead men to go in and take what is called a "soldier," or do they go in groups?—Very often they go in pairs, but that is not what I meant by indiscriminate treating: I meant the practice, which used to be in vogue, of inviting people who happen to be present to drink. That practice is dying out.

32563. In raising the price of liquor, has it occurred to you that it might be legislating against the poor man, who might claim that he had as much right to drink as the rich man?—I do not think there is anything in that argument. You cannot prevent a rich man, if he is determined to have liquor, from obtaining it; he will get it if he has to go out of the country to get it.

32564. I think you said that in your observation of the Scott Act and the Dunkin Act it was difficult to decline offers to drink. If it were more difficult to avoid drinking where the trade is illegal, why is it less difficult to decline where the trade is licensed?—I have found in such places a great deal of bitter feeling and ill-feeling prevailing in the community. The community in such cases becomes divided into two classes, those who rebel against the law and those who want the law enforced. It is very difficult to avoid being on one side or the other, and the man who is a moderate drinker, or rather takes a drink when he feels inclined, cannot very well join in with the total abstainers, and therefore it is more difficult for him to avoid drinking when he is asked to drink.

32565. Do you think it right that people who desire total prohibition should submit to those who are against it?—I think any one who makes a nuisance of himself, or who is disorderly, should be punished. Respectable people should be protected, and the law should impose sufficient penalties to suppress an improper state of things.

32566. Can you state further anything in regard to prohibition in the North-west Territories?—Prohibition in the Territories, from all I have seen and heard, led to excessive drinking. The people did not know what moderation was—at least a great many did not. When a person obtained a supply, amounting to two or three gallons in a keg, it would almost at once be consumed. When a person obtained liquor there on a permit or by having it smuggled, he invited his friends and they drank to excess. That was my experience up there.

32567. Was not the power of issuing permits indiscriminately exercised?—I do not think so. I think it was rather difficult in some cases to get permits.

32568. According to the official returns, the quantity increased very rapidly, from 6,000 gallons in 1883, to 15,000 gallons in 1890, and the population did not increase in that ratio?—In 1883, we had no communication with the North-west. The settler in the North-west lived a three or four weeks' journey away from any place, and could not get liquor, and so I suppose it was not consumed in those early days, simply because it could not be obtained.

32569. You have said that Winnipeg is an exceptionally sober place: what makes Winnipeg a sober place?—I think the people of the city are above the average. They are all nearly busily occupied.

32570. Do you think the licensed trade contributes to the sobriety of the city?—I do not know exactly. The sale of liquor does not contribute to the sobriety of the place or otherwise; probably there would be more or less abuse of liquor if we had not the license system as at present.

32571. You are led to believe that from what knowledge?—From my experience in the North-west Territories and all I have learnt and seen in the east.

32572. I believe you did not favour prohibition in the North-west Territories at the outset?—I am not sure that it was not a good thing at the outset. I am rather inclined to think it was.

32573. What were the conditions?—A sparsely settled country with a large territory. During the building of the railway thousands of men were employed, and it was



probably an advantage to keep liquor away from them. I know we all felt at the time that such was the case.

32574. Would the introduction of liquor have created disturbances?—I think if you have three or four thousand workmen together and allow them to obtain as much liquor as they want, it has that tendency.

32575. There are a good many thousands of men in Winnipeg and there is provision made for them to get liquor here; does it have the same tendency?—No, they have their homes and their settled occupations, and of course it is different.

32576. Did you find any difference in the liquor trade in the North-west during the prohibition period as compared with now, or does not your trade extend into the North-west?—Yes.

32577. Were your sales larger then than now?—They have been larger under the license system, that is west of here.

32578. Was the great bulk of liquor that was sent into the North-west during prohibitory years smuggled in, carried in through illegal channels across the border, and when the license system was inaugurated, liquor was taken in for the purpose of supplying stores? Was the supply in the Territories very much larger then?—The quantity of liquor sent into the Territories could not be compared with that sent in in former years, because what was sent in in the old days was sent in and consumed at once, whereas now it is held and consumed as it is required.

32579. Have you observed whether the liquor trade, as carried on here and elsewhere, is evil in any degree?—That is a difficult question to answer. The abuse of liquor is evil, and if a retail dealer is to be held responsible for the abuse of liquor it is a great pity, but I do not hold that he is responsible.

32580. You think the trade is not responsible for the evils that result from the excessive or immoderate use of liquor?—That question is also difficult to answer. No doubt, in some cases it is. In other cases a properly regulated trade regulates moderate drinking. A properly conducted license system is preferable to any attempt to enforce prohibition, that is neither palatable nor popular with the people.

32581. You have spoken about a properly worked trade. What restrictions and regulations would you place upon the trade?—It would require more consideration than I have given to the various Acts at present in force to answer. I could not express an opinion on it.

32582. Why is it that this trade is distinguished from all other trades, and needs so much regulating?—Because people are apt to use too much strong drink, and it is only right that it should be regulated.

32583. Do you know any legalized business that has to be regulated and restricted in the same way?—Not in this country. Where opium is used, it will probably have to be regulated in a similar manner.

32584. Do you put the use of opium and that of liquor on the same basis?—I believe the use of opium is fully as dangerous as the use of liquor. If it were possible to enforce prohibition, and I do not think it is possible, I believe that the people would use opium.

32585. Is that one reason why you are not in favour of prohibition, lest prohibition might lead to the use of opium?—That is one reason, but only one, and that is a remote one.

32586. Is there any other legalized trade that has the same harmful tendencies as the liquor trade?—No, I do not recollect any.

32587. Why is the liquor trade so restricted, and why is it necessary to compel those engaged in it to submit without protest to the restrictions?—I have already answered why the trade is illicit, and I cannot see why those engaged in it timidly submit to the restrictions.

32588. Do you believe that the liquor licensees are, generally, law observers?—I know many of them are.

32589. Supposing the will of the people were exercised in favour of prohibition and a prohibitory law were enacted, I suppose it follows that the licensees would discontinue the business?—They would discontinue doing business under license.

GEORGE F. GAULT.



32590. How would they do it?—Some would do it illicitly and others would give up the business. You would drive the respectable element out of it, and their places would be filled by others who were not so scrupulous.

32591. You regard those who carry on business illicitly as being not of the respectable class?—I would not imagine they were.

32592. What is your opinion of those who under license laws violate continually the prohibitive provisions of the license law; are they of a reputable class?—I do not know anything about supposed violations of the law. I do not know what the law is and whether it is violated or not, so I cannot answer that question intelligently, it is all hearsay.

32593. Will you state briefly your objections to a prohibitory law?—I think it is demoralizing to a community. It raises all sorts of ill feeling in the community, and the experiences of the past have pointed how very willing people may be to vote for prohibitory laws and yet almost at the first opportunity they have invariably expressed a contrary opinion. Considering that fact, and the further fact that all the pressure is brought to bear on one side, that is on the side of temperance, I think those votes when they are registered against prohibition should be conclusive, as they express the opinion of the people.

32594. Do you think that the prohibition of the trade would be more demoralizing than the continuance of the trade as it is now?—Yes.

32595. Would enforced prohibition do good?—I do not believe that it is possible to enforce prohibition.

32596. Do you think that it is a benefit?—If a man was willing to deny himself the use of liquor, undoubtedly in most cases it would be a benefit. Some things are benefits and some things are indulgences; but I do not think that if you tried to prevent a man from getting liquor, it would be a beneficial act to him.

32597. There are, of course, a lot of unfortunates who are unable to deny themselves at all. Do you think it well to have some law passed in their interest?—I think those people will always get liquor, until they are shut up.

32598. Do you think it would be well to shut them up? Would you be in favour of providing inebriate asylums for them?—A good way to manage them would be to shut them up.

32599. Would you favour the establishment of inebriate asylums in which those respectable and unfortunate people could be taken care of?—Yes.

32600. That question was asked of one witness who appeared before the Commission, who said he would favour the establishment of inebriate asylums if they were used to incarcerate the men engaged in the trade. What is your opinion?—I do not think so. It is about as sensible as some other suggestions I have heard.

32601. Do you think it would be well for the Government to provide inebriate asylums for the care of those who, by reason of their drink habit, are unable to take care of themselves, and who come before the police courts and go to jail and afterwards again appear in court?—Yes, I think it would.

32602. Would you make the care of those inebriates a charge against the trade: that is supposing it creates those men?—I think the trade already contributes the bulk of the taxes of the country, and some of the money might be profitably expended in that way.

32603. Does the trade or the people who support the trade contribute the bulk of the taxes?—No doubt the consumer pays the taxes—of course it goes back to him.

32604. There was a plebiscite in Manitoba a little while ago; do you regard the result of the poll as being significant?—No.

32605. For what reasons?—I think experience has shown that such a vote could be carried anywhere where the people have not had any experience of the two systems, and experience has shown that such an Act could not be carried where the people have had experience of the two systems.

32606. Is that strictly correct?—Perhaps it is not strictly correct, but it is almost entirely the case.

32607. Have you noticed that in Maine they have had a prohibitory law during 40 years and after it was repealed, it was re-enacted, and then ran on more or less for 25

years, and the people then took it from the statute-book and put it in the Constitution of the State by a majority of 30,000. There is a case where the people had experience of prohibition for a generation, and they still were in favour of adopting it. Iowa furnished another illustration of the same kind?—I have always understood that liquor can be had in those States, and so long as liquor can be had, the people who want it will not raise any great objection to any law, however much it was attempted to be enforced.

32608. Do you think a law in order to be a success, must be absolutely enforced?—Yes.

32609. Is there any law absolutely enforced?—Perhaps I could answer that question by saying that any other law would not be flagrantly violated.

32610. If a law is violated more or less, and even if there is a considerable percentage of violations, is not that a proof of the value of the law?—It depends on what the crime is and what the infractions are—it depends on whether it runs against the common sense of the people.

32611. As a matter of fact, is there any law, moral or civil, that is absolutely enforced and observed?—I suppose there is no law that is not broken occasionally.

32612. You would not repeal all laws if they were not thoroughly observed by the people as a whole, if they were enacted for the general good of the greater number?—I cannot associate a prohibitory law with any other law; there is no similarity to my mind between such a law and another law.

32613. You are opposed to prohibition on business principles, I suppose?—No; I have always been opposed to it, even when I was not in business.

32614. Would not your personal interests influence more or less your views?—No, I do not think so; they would not influence my views at all.

*By Judge McDonald :*

32615. You have never made a study of the Maine law personally?—No.

32616. Do you know that under that law people may obtain all the liquor they wish for beverage purposes so long as they do not buy it in the State?—I do not know much about the Maine law, but I have heard that liquor was distributed freely in Maine.

32617. The prohibition of the manufacture, importation and sale of intoxicating beverages is, therefore, something different from the Maine law, for under that law liquor is allowed to be imported so long as it is not sold or kept for sale, only for personal use, in a person's own cellar or elsewhere, as is the case under the Scott Act. Could you, if you were dealing with the question and making a comparison with the Maine law, compare it with total prohibition: or would you not have to go on a different platform entirely in dealing with the case?—I am not a believer in total prohibition.

32618. In dealing with the matter, what views might influence people in the violation and in the observance of such a law, if it were in force? Would you hope for a better enforcement of a law which prohibited merely local sale and keeping for sale, the people in the meanwhile being able to obtain liquor from outside, than of such a law as is proposed? Suppose there was an Act passed providing that no man should manufacture, import or sell liquor, would such a law be more fairly enforced than the Maine law or the Scott Act?—The law that would prevent the importation altogether would be more fairly enforced than a law which allowed free importation from other parts of the Dominion and allowed people to do what they liked with liquor, so long as they did not sell it.

32619. Take a law that merely prevented them having it for sale as compared with a law that prevented them having it at all: which of those two laws would the people be more ready to obey?—I do not believe they would obey either of them. If liquor was imported into the country, you could not prevent people selling it.

32620. Would you not be in this position: that a large number of people who were able to bring all the liquor they wished from other places, would view with a great deal of complacency infringements of the law that did not affect themselves?—People would consider that was not fair treatment, and the law would not have the moral support that an ordinary prohibition law has now.

GEORGE F. GAULT.

32621. I understand that you have never lived in a country where a prohibitory law was in force, to ascertain whether the men who support prohibition might not at that very time have liquors in their cellars for their own use?—I think a good many of them do so.

32622. Would they support a prohibitory law that did not affect them?—I think they would be tired of such a law very soon, if their movements were permanently interfered with.

32623. Would that have the effect of making such a man's actions square with his professions?—I think they could not advocate it.

32624. We are told that in Scott Act counties in some cases people support the Scott Act, but at the same time they have what liquor they wish in their own cellars?—I understand that is the case many a time.

32625. But they feel it to be a good thing not to allow liquor to be sold to their neighbours or exposed for sale?—I have great contempt for such people.

32626. If those men found a law was to be submitted to prevent them getting liquor in that way, would they take the same line of action when the proposal was to restrict their own supplies?—A great many would no doubt vote against prohibition if they could do so by ballot.

32627. Do you think there is a great deal of hollow support of the law?—Yes, I think a man is obliged to take one side or the other in the community.

32628. About illicit sale in places where there is prohibition: do you think a general prohibitory law would prevent it to some extent? Would those men sell if there was no demand by the people?—Undoubtedly there is a demand.

*By Rev. Dr. McLeod:*

32629. Should there be a provision by Statute for every thing demanded by the people or by any section of the people?—It depends on the reasonableness of the demand.

*By Judge McDonald:*

32630. Take the classes of men to whom you referred, those for whom you thought it would be proper to provide inebriate asylums, persons who cannot restrict themselves: take a community in which there is a large percentage of such people, which would be the fairer course to adopt—to take liquor away from the vast bulk of the population who use it legitimately and moderately, or prohibit it altogether, in order to put it out of the way of men who should not get it, or place persistent drunkards in asylums and leave the others with their liberty?—I think men addicted to drunkenness are suffering from a disease. I do not think they should be classed with men who take a glass of beer or spirits in moderation.

32631-32. Do you find that this business is different from all other businesses?—Yes.

WITNESS came forward at a subsequent stage of the proceedings, and said: I wish to withdraw a statement I made this morning, without giving it sufficient consideration, and I do not wish it to go on record as part of my statement without any explanation. The examination led up to the question of inebriate asylums, and the way in which they should be supported. I believe I said that they should be supported at the public expense. I had never given the question such consideration as would enable me to give an intelligent opinion on it. I would not object to express an opinion if I had fully considered the matter; but that is a large question and requires no doubt full consideration, and therefore I do not wish to go on record as having expressed an opinion that those asylums should be established and supported at the public expense.



WM. R. MULOCK, Q.C., of Winnipeg, Barrister, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

32633. How long have you resided in Winnipeg ?—About 10 years.

32634. I believe you previously lived in Toronto ?—Yes.

32635. Did you live in Ontario when a prohibitory law was in force ?—Not that I can recollect.

32636. Since you came here, have you noticed a change in the social customs of the people in regard to the use of intoxicating liquor ?—I have.

32637. Did you notice similar changes before you left Ontario, going back to the earliest recollections you have, as to the quantity of wine used ?—I think there was a steady improvement.

32638. Do you find less wine now used at social gatherings and at the table than was formerly the case ?—Decidedly.

32639. And when you came to Winnipeg you found the state of things continued here ?—I did.

32640. How do you find the working of the license law here ?—It is looked upon as more or less of a force by the people in the business, from all I hear and see.

32641. You think, then, that the observance they render to the law is more or less compulsory ?—I cannot see that they observe it at all.

32642. Then you think the law is broken ?—I know it is.

32643. Do you mean in regard to the sale on Sunday ?—Yes, and after hours on other days.

32644. How about sale to minors : is there any trouble of that kind here ?—I do not know if there is much of that done here, but I have known of young men being found in saloons, young men who were under age. I presume, when I say saloons, I do not know where else they could have gone astray.

32645. Do you know whether there is any difficulty in this province in regard to the sale of adulterated liquors ?—I know nothing about it.

32646. It is stated that in the older provinces this is a great difficulty ?—Yes.

32647. Have you any suggestions to make in regard to the license law that would make it more efficient and enable it to be more efficiently observed ?—I do not think any license law will be observed by saloon-keepers, as a rule.

32648. Do you think that even if the license law were made more stringent, it would simply remain a dead letter ?—I think so. There is a general feeling that when a business has become legalized, no one wishes to turn informer on his neighbour in that way.

32649. Could any improvement be made by securing more efficient inspection and by the appointment of some officers to carry out the law ; would that be a step in the direction of making the law more efficient ?—If there were more officers and they did their duty, the law would be better observed.

32650. We have been told by one or two witnesses that there is really only one officer in Manitoba as Inspector ?—That statement is hardly correct, as I understand the matter. It may have been the case until a short time ago, probably until within the last month or six weeks. I understand, however, that there has been a deputy appointed at Brandon and another at Portage la Prairie. But the facts connected with the Inspector I understand are, that there has only been one Inspector for the whole province and his allowance for expenses was a mere bagatelle, and it was really an office that should not be on the statute-book until it was properly constituted.

32651. A witness was called this morning who stated that there was a provision in the law for the appointment of a local officer, but the salary had to be raised by the taxpayers, and this was found to be a burden ?—I believe that is the case ; there is something of the kind, but I am not quite sure of the duties of the person.

32652. It has been stated by Mr. Clarke that the officer could be paid out of the local funds for his services ?—I know Mr. Clarke, in answer to my repeated complaints,

WM. R. MULOCK.



has stated that nothing was being done to enforce the law because he had not the means at his disposal.

32653. Do you know whether the city police endeavour to enforce the law?—Not at all.

32654. Do you assist in any way the officers to enforce the license law and see that it is observed?—I do not believe in the license law.

32655. Do you look upon the licensing of the business as a sin?—I do.

32656. Are you connected with the enforcement of the law in any way as a member of the association for securing total prohibition?—At the present moment I hold the office of President of the Prohibition League of Manitoba.

32657. In discharging the duties of the position you hold as such, have you made efforts to procure the enforcement of the present law?—Yes, within the past ten days.

32658. Has that action led to the appointment of other officers?—I think the vote of the people caused that action to be taken, because it was done before we intervened.

32659. To what extent have you intervened—for what have you asked?—For the enforcement of the law or the cancellation of the law. I personally asked that, at all events.

32660. I might ask you at this point to explain the position?—The Government declines to accept the responsibility of enforcing the license law. Up to the present moment it has never been enforced, and now the position is a little strained as between the Government and the city in regard to this matter; and correspondence is going on, some of which I have in my office on file.

32661. Do the city police do anything towards enforcing the law?—No; the Chief of Police has told me that such is the case.

32662. You say you are President of a prohibitory league: so of course, you favour prohibition?—I am a prohibitionist.

32663. Have you studied the question of granting compensation to brewers and distillers in the event of the enactment of a general prohibitory law?—I would give compensation under certain conditions. One condition is, that they give a bond to pay for all the damages assessed against them for the people and homes they have destroyed, because I know the majority will be against them. On those conditions I agree, otherwise I will not agree, to pay for a licensed sin.

32664. Have you mapped out any plan of ascertaining the figures in connection with the damages to which you have referred?—I think the statements of the witnesses before the Royal Commission would satisfy even the brewers themselves on this point, so that their claim would be withdrawn very quickly. I could produce witnesses from Winnipeg whose families I have been called upon to support by reason of drink.

32665. Except on those terms you have mentioned, you would not pay remuneration to brewers and distillers?—Certainly not.

32666. Do you consider that there would be any difficulty in enforcing prohibition?—I can only say, as the Attorney General of this Province has said, if our people place such a law on the statute-book, there will be no difficulty in enforcing that law any more than any other law.

32667. That is your view?—Yes. It is the view expressed by the Attorney General in the late campaign.

*By Rev. Dr. McLeod:*

32668. Do you think the feeling in favour of prohibition is very strong throughout Manitoba?—It is very strong.

32669. Was the feeling fairly expressed by the recent plebiscite?—Yes. Prohibition received a majority of thousands. How, then, can it be said that it is not the expression of public opinion?

32670. Perhaps it was a joke?—The liquor men did not think it was a joke, because they took energetic action and scattered circulars far and wide in connection with the campaign.

32671. Then the liquor men went regularly into the campaign?—They did. I have three pamphlets, one of which was distributed just before the ballot was taken.

32672. Was it a one-sided agitation?—Indeed it was not.

32673. What was the character of the campaign in favour of prohibition? Did you cover the field with speakers and did you resort to the usual campaign methods?—We were too poor in means to go into the campaign in that way.

32674. Is that the reason you did not do so?—We could not afford to get any speakers from outside, and we simply had to do without them, and to do the best we could with local talent.

32675. Could you give the Commission the figures of the vote?—I obtained the figures from the Department of the Attorney General, and I had them inserted in the *Free Press*, of which I have the slip here. The total vote on the plebiscite was 26,752. The total vote of the counties at the Provincial Legislature election for the same constituency aggregated 23,104. The total vote for the prohibition of the liquor trade was 19,637 and the total vote against prohibition was 7,115, a majority equal practically to three to one. There are several constituencies the votes of which are not included. There is a difficulty in that regard. It seems the ballots for that election went into the ballot box of the Provincial Legislature and the number will not be known until the Legislature meets.

32676. They had no statement from those constituencies I suppose, and there is no means of getting an official statement from those constituencies?—That is what the Attorney General told me, and also that the majority in favour of prohibition would be very considerably increased when those figures are obtained. The majority in favour of prohibition was 12,532 according to that return.

32677. Do you think that was a deliberate expression of the people in favour of prohibition?—No man can think otherwise.

32678. Do you think there is any difficulty attending the enforcement of a prohibitory law other than and greater than the difficulty of enforcing local option?—I can see no possible difference.

32679. Is there not some difficulty in enforcing local option?—It would depend on the area.

32680. What would be the chief difficulty in enforcing prohibition in preference to a license law in Winnipeg?—The want of enforcement by officials is an element. I think it is against the disposition of Englishmen to turn informer against your neighbour, and in fact no one will inform. I myself have been in such a position, but I would not lodge any information against a man in the business. It is against my feeling as an Englishman to be an informer. We look to the Government to carry out the laws, and they should do their duty and punish offenders for breaches of the law.

32681. There is a kind of conflict between the city and the Government?—There is at the present time.

32682. On whom does the responsibility rest, the city or the Government?—Do you mean under the law?

32683. Yes.—I am not in a position to say; I have never looked into the matter.

32684. Does the Provincial Government issue the licenses?—Yes.

32685. Who receives the licence fees?—A part goes to each.

32686. To whom does the larger part go?—I think the fee is \$250 and \$200 goes to the Provincial Government.

32687. Then they divide the fee?—I think it is divided in that proportion.

32688. Does not the law provide for the enforcement of the law and that certain officers shall give their attention to it, or is this provision only in regard to the Inspector?—I think only the Inspector is appointed by the Government and specified under the provisions of the Act.

32689. You spoke of what had been done during the last ten days. What was done during that period towards the enforcement of the law that was not done before, and by whom was it done?—The Mayor has informed me that, as Mayor of this city, he is going to see that the law is enforced, whether the duty falls on the Province or on the city, or he is going to know the reason why. I think that announcement, coupled with the fact that the Commission was coming here, had an effect.

32690. Then you think the visit of the Commission has not been in vain?—I hope not. But when I heard you say that you had seen three drunken men last Sunday, the announcement was like a cold wave, and I began to lose faith in the people.

WM. R. MULOCK.

32691. Do you know whether under the law a municipality can appoint Inspectors?  
—Yes.

32692. Such an officer would be a deputy of the Provincial Inspector, I suppose?—  
Yes.

32693. Do you believe that your Provincial Legislature, obeying the behest of the people as expressed at the recent plebiscite, will at the coming session enact a prohibitory law?—The Ministers gave their word, and I presume that they will keep their word.

32694. Suppose the Provincial Government enact a prohibitory law for Manitoba; do you see any difficulties in the way of carrying out that law?—On the contrary, I do not think there is any area in the world that is so suitable in which to have a prohibitory law enacted as Manitoba, and for these reasons: To the north we have an unknown region and Hudson's Bay, which is frozen over for many months in the year and through which traffic never could regularly come, so far as this province is concerned. On the south we have, for the greater part of the distance, a prohibitory state, Dakota, in which prohibition will afford the best test as regards prohibition enacted here. I believe that if we had prohibition in Manitoba there would be no doubt that the North-west Territories would fall into line most heartily, and would gladly do so. On the east one constable on the Canadian Pacific Railway track would effectually prevent any liquor coming in from that direction. So one can hardly imagine any place better adapted for the enforcement of prohibition than Manitoba.

32695. The fact of your favourable situation and the strong feeling in favour of prohibition, then, in your opinion, should make a prohibitory measure a success?—I think so unquestionably.

32696. Do you believe that prohibition, enforced, as it would be in Manitoba, would be promotive of the material welfare of this province and of the social and moral welfare of the people?—Prohibition can be looked at from various standpoints—from the Christian standpoint, from the political standpoint and from the economic standpoint. I think God's law enforces prohibition, because God himself gives the law in the words: "No drunkard shall inherit the kingdom of Heaven." Therefore, the traffic which makes a drunkard must come within that limitation, and no Christian community should permit it to be carried on. From the political standpoint, no one will deny what you, Judge McDonald, stated at the opening of the Commission here, that it is undoubtedly an untold evil. If so, then observation should encourage prohibition as the State advances. From the economic standpoint, I think it would be well to take the money spent on liquor and bury it in the middle of the ocean, and the country would be an enormous gainer.

32697. You think figures and statistics will prove that: what about the revenue derived from the traffic?—I believe in what Mr. Gladstone said, "Give me England sober, and I will never have to ask for revenue."

32698. The opinion was expressed by one of the largest employers of labour in the Maritime Provinces, if not in the Dominion, that he believed it would pay the country to expend every dollar of the revenue on the enforcement of a prohibitory law. Will you go so far as that?—I have never given the matter consideration from that standpoint; but in my opinion it would, taking the figures submitted to the House by Mr. Foster in his last speech on the subject.

32699. I think you said that there is relation between the trade and the drunkard: do you see a close relation between the two?—I see cause and effect.

32700. You think it is not well for the State to establish a trade which produces that kind of effect?—I do not. I agree with Archdeacon Farrar in that respect.

32701. Have you knowledge of the North-west Territories?—I have been in the North-west Territories; I was there for a visit, but I was sick most of the time.

32702. As a professional man, coming in close contact with business men and business interests in the province, have you noticed that the liquor trade, in its wholesale department, and its retail department, and hotel, bar, restaurants, and everywhere else, has any effect whatever on other branches of trade in the country? I am not, of course, a business man; but making use of my powers of observation, I have no hesitation at all in saying that the other trades are very seriously injured by it. All who have given



the subject consideration must necessarily admit that it is so. I will refer to a family which I have in my mind in this very city. The children have needed actual bed-clothing, boots and shoes, bread and butter, and the necessities of life, and the money that would have bought them went into the saloons. The innocent, therefore, suffer to that extent.

32703. Have you observed whether such cases are rare, or whether there are comparatively many of such cases?—I am sorry to say that there are many of such cases.

32704. Have you observed whether others than those who drink to excess cause their families to suffer, and whether regular drinkers and especially those who drink in moderation are so affected?—I have observed such cases, and have even come across them in my own business.

32705. I do not now refer simply to cases of excessive use?—Not simply to excessive use.

32706. Do you regard the growing feeling as expressed in your plebiscite and in various ways throughout the country as one desirous of prohibition, and is the result due to observation on the part of the people of the effects of the trade?—I do, the result of observation and education.

32707. Speaking about compensation: you have expressed your opinion on that point. A witness before the Commission has stated that that question should be left to the people. Do you believe the people would vote in favour of granting compensation to brewers and distillers?—No, I do not think they would. I am satisfied that they would not approve of it, because in England two years ago, a Bill relating to the liquor trade, in which compensation was proposed, had to be withdrawn by the Government, although it had been carried by a large majority on the second reading.

32708. Supposing, according to the recent vote, the majority in Winnipeg would be 1,300 to 1,400 in favour of a general prohibitory measure, would that mean that if prohibition were enacted and applied to Winnipeg, with a population of 30,000, it would be accepted and enforced?—I think so. I am perfectly set in my own mind on that point; and it shows how deeply rooted the feeling is, when on the opportunity being given to the people, they expressed their opinion in that way.

32709. Are you a member of the Church of England?—I am.

32710. Are you a member of the Synod?—I am a delegate to the Synod.

32711. Has your Synod expressed its views on the temperance question and on prohibition?—It has not; but, perhaps, I may be wrong in my statement. I think the Synod did so six or seven years ago. I think it passed a resolution condemning the use of liquor, but I forget the terms of the resolution. Nothing has been done of late years.

*By Judge McDonald :*

32712. Kindly give the Commission a copy of that resolution?—I will, if I can. I have a recollection of that resolution being passed, but I may be wrong.

32713. In regard to the taking of wine: do you look upon the taking of wine, as a beverage, as a sin?—Yes, I think that is the only legitimate conclusion you can come to.

32714. What about its use in the Holy Communion?—I am strongly opposed to it.

32715. You know that the Church of England in the Ecclesiastical Province of Canada has officially declared that it must be fermented wine that is used in the Holy Communion. Has there been any declaration in the Ecclesiastical Province of Rupert's Land on the question?—No, there was a declaration of the Pan-Anglican Conference which does not go that far.

32716. Does the Church use anything but fermented wines?—No.

32717. Would you prefer to see that practice changed?—I think it is wrong.

32718. You would use only unfermented wine?—That is the only right position to take, in my opinion. I have read everything I could lay my hands on respecting the matter, and I have formed that as my deliberate conclusion.

WM. R. MULOCK.



*By Rev. Dr. McLeod :*

32719. Your idea of prohibition I suppose, is a law prohibiting the manufacture or importation and sale of liquor for beverage purposes?—Yes. I would personally go further; but I cannot help feeling with respect to the Sacrament that if there was a conscientious feeling by some of the people that fermented wine should be used, we should not interfere with that, although I think it is wrong.

*By Judge McDonald :*

32720. Would you vote against fermented wine coming in for that purpose?—Yes, as a matter of principle.

32721. I see that the present law provides (Section 166): “Any police constable shall for the purpose of detecting violation of any of the provisions of this Act which it is his duty to enforce, have the right to enter on all or any property.” Is the difficulty whether it is his duty or not?—I do not know that there has been any question raised under the clause that has been read. I am speaking of general enforcement.

32722. I notice that any person may make a complaint and that it shall be the duty of the Inspector to institute prosecutions; and in case, Section 173, “any person gives to the Inspector information justifying the prosecution of any person named, it shall be the duty of the Inspector to lay an information in his own name and prosecute”?—Yes.

32723. You have expressed, as an Englishman, your detestation of the character of an informer. You have also said that you could not bring yourself to lay an information in regard to this matter?—It is not part of my duty as a citizen to do so.

32724. Have you ever furnished the Inspector with information?—I have.

32725. Did he act on it?—Yes, so far as it was in his power to do so.

32726. Supposing you saw a person commit a felony, would you lay information against him?—I suppose it would be part of my duty to do so, as a citizen. I have never had occasion to do so.

32727. Do you not think that in the minds of a great majority of the people there is a very different view taken as to a person being an informer in such a case and an informer under a license or prohibitory law?—If I pay a salaried officer to carry out the law, I expect him to do it.

32728. You pay a police officer; yet you would not hesitate if you saw a man picking another's pocket, to have him arraigned and to lay information against him and prosecute him. You would not feel any stigma would attach to the informer in that case?—There is undoubtedly a difference between a crime and a misdemeanour.

32729. Is there not a difference in the public mind?—I do not think stealing should be instituted as a comparison with an infringement of a law such as a license law. Those offences have always been dealt with in a different manner.

32730. If a nuisance were committed on your premises, would you hesitate to lay information?—Not as a matter of sentiment.

32731. You would have no sentiment on that matter?—No.

32732. But those against whom you complained are, I understand, in your opinion causing a worse nuisance than in the other case?—Because I absolutely have no faith whatever in license.

32733. You are speaking of the reason why you will not lay information?—I object to being dragged into outside matters.

32734. As regards its effect?—I do not know anything that is causing so much evil in the world to-day as drink.

32735. Then why is there a different sentiment in regard to laying information in such cases—the cases to which I have referred?—If a man commits a nuisance, on my premises it becomes a personal matter between himself and me. In the other case, it is a matter between the community and some other person. I do not think they are analogous cases.

32736. You have a license law in force. A man who wishes to get liquor on Sunday breaks the law, and the saloon-keeper who sells to him helps to break the law. Neither will lay information against the other. An injury is done to the public, and there is a public nuisance. You are one of the public, and yet you say you will not lay information?—I have not done so.

32737. Have you stated the reason to the Commission?—I suppose so.

EDWARD A. BURBANK, of Winnipeg, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

32738. What is your business or occupation?—I am Manager of the Merchants' Protective Law and Collection Association.

32739. How long have you resided in Winnipeg?—About one year.

32740. Before that time where did you reside?—At Carman, in the Province of Manitoba.

32741. How long did you reside there?—About two years.

32742. And before that, where did you reside?—At Deloraine, in the Province of Manitoba.

32743. How long were you there?—I have been in the province altogether about four years.

32744. Before coming to this province, where did you reside?—I came here from Australia.

32745. Have you ever lived in any country where a prohibitory law was in force?—No, I have never been a permanent resident of any country where such a law was in force.

32746. Have you been a temporary resident of such a country?—Yes.

32747. Where?—In Kansas, Iowa and Maine.

32748. Was your trip through these States simply one of business, or did you make any stay?—I did not make a permanent stay, but I was in each State for a period of from six weeks to three months.

32749. In Kansas, what was the state of things there?—I found a prohibitory law, but I did not find prohibition.

32750. Was it possible to obtain intoxicating liquors for beverage purposes there?—Yes.

32751. Were they obtained with difficulty or freely? There was difficulty in obtaining it, unless you were acquainted as to where it could be got.

32752. What were the difficulties?—There was a law which provided that you had to obtain a certificate from a physician before you could obtain liquor from a druggist.

32753. Did you file such a certificate with a druggist?—Yes.

32754. Did you have difficulty in obtaining the certificate?—Yes, unless you needed it for medical purposes.

32755. Then the doctors lived up to the law?—Most of them seemed to try to do so.

32756. How did they succeed?—There were "blind pigs" and dives carried on there.

32757. What are "blind pigs"?—Places where liquor is sold without a license and contrary to the law.

32758. In the drug shops?—No.

32759. Were there many of those?—I will refer to some statistics I have here. I will quote from the report of the Commission of Internal Revenue at Washington, for 1891. That report states as follows, respecting the prohibitory States :—

"Iowa—11 rectifiers, 6,374 retailers, 54 wholesale dealers, 29 brewers, 305 retail dealers in malt liquors, 267 wholesale dealers in malt liquors, making a grand total of 7,630 dealers in liquors in the State of Iowa.

"Kansas—2 rectifiers, 2,811 retail liquor dealers, 19 wholesale liquor dealers, 1 brewer, 525 retail dealers in malt liquors, 61 wholesale dealers in malt, making a total of 3,410 liquor dealers in the prohibition State of Kansas.

"Maine—1,195 retail liquor dealers, 8 wholesale liquor dealers, 126 retail dealers in malt liquors, 11 wholesale dealers in malt liquors, making a total of 1,338 liquor dealers in the State of Maine.

"Vermont—488 retail liquor dealers, 21 retail dealers in malt liquors, 9 wholesale dealers in malt, making a total of 513 liquor dealers in the State of Vermont.

"North Dakota—619 liquor dealers.

"South Dakota—1,431 liquor dealers."

32760. Are you in a position to say whether these United States licenses give these persons authority to sell contrary to the State laws?—Yes, they do.

EDWARD A. BURBANK.

32761. Because we find, in regard to Maine, that though certificates were issued by the United States Government, yet they did not justify selling in the State contrary to the State enactment, and the only benefit arising from taking out these certificates was that they protected persons selling from prosecutions being instituted both by the State and by the Federal Governments?—Yes, that is so.

32762. We were given to understand that the possession of one of these certificates in Maine was considered to be *prima facie* evidence of breach of the State law. Is that the law in Kansas?—It might be the case, but I do not undertake to say that it is so.

32763. Do you know whether men who have these certificates really manufacture?—I would not undertake to say so, but I do not imagine they take out these certificates for amusement.

32764. What else do you know in respect to Kansas?—I do not know anything beyond what I have stated. I am not a drinking man myself.

32765. Do you take ale?—I would not say that I am a teetotaller.

32766. Did you take any liquor there?—No.

32767. Therefore, you are not able to speak from personal knowledge of the quality of the liquor sold there?—Only from hearsay, and from the fact that I saw people drunk in Kansas.

32768. Judging by the effects of the liquor, could you form an opinion as to whether the liquor was pure or otherwise?—No.

32769. Then it might have been the best or the worst?—Yes.

32770. What year were you in Kansas?—In 1887.

32771. When were you in Iowa?—The same year.

32772. What did you see there?—Pretty much the same condition of things.

32773. Have you no statistics about Iowa?—Yes, I will repeat them.

“Iowa, 11 rectifiers, 6,874 retailers, 54 wholesale dealers, 29 brewers, 395 retail dealers in malt liquors, 267 wholesale dealers in malt liquors; making a grand total of 7,650 dealers in the State of Iowa.”

32774. What about the observation of the law in Iowa?—I presume it was observed there the same as in other places where they make attempts to carry out prohibition.

32775. Of course the Commission want something more than presumption.—I saw people drunk in Iowa.

32776. Did you see any liquor sold?—No, and I never bought any.

32777. Does the law require a doctor's certificate in order to obtain liquor there?—Yes, pretty much the same. I may say that in Kansas they had an extremely stringent law in that respect.

32778. What about Maine?—The figures are as I have stated them.

“1193 retail liquor dealers, 8 wholesale liquor dealers, 126 retail dealers in malt liquors, 11 wholesale dealers in malt liquors, making a total of 1,338 liquor dealers in the State of Maine.”

32779. Have you the figures for New Hampshire?—There are 684 retail liquor dealers, 5 brewers, 209 retail dealers in malt liquors and 60 wholesale dealers in malt liquors.

32780. Were you in Vermont?—I was in Vermont only a short time, and did not notice things.

32781. What did you notice in Maine?—I should judge from my observations that when people wanted liquor they could get it.

32782. Were you in the North-west Territories when prohibition was in force?—Yes, in Calgary, Banff and Regina.

32783. When were you there?—About four years ago.

32784. How did you find matters there?—I think more drinking was done there than ever was seen in Winnipeg; particularly was that the case in Calgary.

32785. Was liquor freely sold in the Territories?—It was freely drunk and freely used, but I do not know where it was obtained.

32786. Were you in Manitoba during last summer?—Yes.

32787. Were you here at the time the plebiscite vote was taken?—Yes.

32788. Did you take any part in that contest?—No part, except that three days before the election, I was requested to write something for the newspaper giving my views on prohibition.



32789. What were those views?—They are expressed in this pamphlet, a copy of which I file with the Commission.

32790. Do you wish to have this pamphlet taken as expressing the results of your own experiences?—There is nothing in that pamphlet that would violate the oath I have taken here, for it contains nothing but what I regard as facts.

32791. Was the opinion at which you arrived favourable or unfavourable to prohibition?—I would vote for prohibition readily, and I would believe in absolute prohibition if my impressions, observations, reading and study had not led me to believe that absolute prohibition was impracticable and impossible.

32792. Then personally you are in favour of it?—Yes.

32793. But you believe it to be impracticable?—Yes.

32794. Therefore, though you may be personally in favour of it, you would not support it?—That is my position.

32795. Have you lived in any section of Manitoba where a local option law was enforced?—I lived at Carman during the local option period there.

32796. How long ago was that?—I believe that was about last January.

32797. How long was local option in force there?—Three years altogether.

32798. Was it a success?—No, it was worse than a failure.

32799. Was liquor sold there?—Yes, and there were many round about ways of selling it. The Church of England and its congregation was forced to remove from its regular place of worship to a distance of a quarter of a mile on account of the drunken saturnalia and the bad conduct of drunken men.

32800. How large a place is Carman?—It has about 500 or 600 people.

32801. Did not the authorities put a stop to those disturbances?—I called upon them to do so.

32802. Could you not have called upon the Chief Inspector at Winnipeg to enforce the law there?—It was not safe for ladies to be on the street, owing to the bad conduct that was carried on.

32803. Was no attention paid to those requests and recommendations?—If any attention was paid to them, the efforts were purely spasmodic and ineffectual.

32804. I understand that this is the statement published by you :

“We are reliably and credibly informed that four cases and one keg of whisky arrived in Carman by last Tuesday's express from Winnipeg. Some of it was, no doubt, to persons for their own and friends' use, while it is likely some of it was for other purposes. We wonder if the local inspector has been looking after these little matters? Really our local inspector does not even make a good scare-crow for the whisky people.”

Was action taken on that remonstrance?—The local inspector was a timid man and he was over-awed; he would have been willing to do his duty if he had been in full charge. I submit some more newspaper extracts bearing on the matter, as follows :

“Carman would seem to furnish a good field for the attention of Chief Inspector Clarke and the local inspector, Mr. Honeywell. We don't know how much of the ardent is sold here, but we do know that oceans of it is being drunk every day.”

“Church of England Services will be held in Gordon Hall on next Sunday evening, at 7 o'clock, instead of in the Presbyterian church as heretofore. We understand that hereafter Gordon Hall will be the permanent place of worship for the English church congregation.”

“The local liquor inspector says there is no whisky sold, or drunk to excess, in Carman. We would like to know how many honest people there are in Carman who will say he tells the truth.”

“The scenes of lawless drunkenness, fighting and rowdiness enacted on the streets of Carman last Monday were alike shameful and disgraceful, and call loudly upon the liquor license inspectors to do their duty. The language used by some of them in and around the Starkey house, in hearing of the lady guests of that hotel, was too foul and filthy to be heard in a Spanish bagnio. It is plainly the duty of the chief inspector to appoint a local inspector here, who has the ability and pluck and integrity to do his duty like a man, a man too who, at least, has the respect of the community.”

32805. Local option was carried there, we understand?—I was not there when the vote was taken.

32806. We understand that only twenty-five votes were registered against it when it was adopted?—It was repealed while I was there by 287 to 48.

32807. How long was it in force?—About three years.

32808. Where were you when the vote was taken on the recent plebiscite?—In Winnipeg.

EDWARD A. BURBANK.



32809. I think you issued this pamphlet to which you have referred?—Yes, I issued it two days before the election.

32810. Did you speak at public meetings on the question?—No. There were meetings held, at which prohibition was advocated by those who were friendly to it, but I took no part in them.

32811. What was the vote given by Carman?—I cannot say. When I speak of Carman, I speak of the municipality in which it is situated, Dufferin.

32812. Did there seem to be much interest taken in the general election?—I do not think so.

32813. Was there a large vote polled?—Yes.

32814. Was it a much larger vote than is generally brought out on questions of this kind?—I take it that even the vote fell two or three thousand short of the vote generally polled in the province. It would have been nine or ten thousand short if that question had come up separately. But the people were voting for candidates for the Provincial Legislature and they were asked to vote and take in this measure, and that is the reason why so many voted as did vote.

32815. Do you know whether any complications arose in connection with the election as regards that issue of prohibition?—That would be a matter of opinion.

32816. Why was the pamphlet issued in opposition?—My opinion is that Mr. Greenway was guilty of an attempt to evade the issue, and his opponents took advantage of that position in which the Greenway Government placed themselves, so as to put them into a hole on that issue.

32817. Was there no organized opposition to voting in favour of the Act?—None whatever. I never heard of speeches being made or articles written, except this little pamphlet of mine, which came out two days before the election. In my opinion, it was too late to do any good.

32818. What do you think is the character of Winnipeg as regards sobriety?—I do not know that I ever saw a better behaved city than is Winnipeg.

32819. Did you know Carman under license?—I was there once under license.

32820. How did you find it compare with its condition under the Scott Act?—Just about the same as before.

32821. Just as disorderly?—Yes.

32822. So the introduction of the Scott Act did not help to make Carman more orderly?—I do not think so.

32823. In case of the enactment of a general prohibitory law, a law prohibiting the manufacture, importation and sale of alcoholic liquors for beverage purposes, would you recompense brewers and distillers for loss of plant and material?—As regards an industry that has been fostered by the Government and which has been in existence so long as the brewing and distilling business, in which people have invested capital, I do not see that an honest man can escape the conviction that compensation should be paid for their plant. I think they are entitled to the same compensation as would be the proprietor of a newspaper or printing establishment if the paper was closed up by the Government, or a miller if his mill was closed up. There is a matter to which I desire to call the attention of the Commission. The Commissioner's Report of 1891, shows that there are 1,198 retail liquor dealers in Maine, or one retail dealer for every 554 of population, or two retail dealers in Maine to every one in Manitoba, according to population.

32824. Have you any suggestions to make to the Commission with a view to improving the present condition of affairs?—Yes. I believe that an absolutely strict and well enforced license law would be the best thing we could have in this country.

32825. Is that not now the case in Winnipeg?—I do not think so.

32826. In what way is that not the case?—There is only one license Inspector for the province, and it is absolutely impossible for him to be in so many places at about the same time and enforce the law. In my opinion he should have assistants. I think the people who call themselves prohibitionists and temperance people should have given support to the enforcement of the license law. If a license law cannot be enforced, I do not see how a prohibitory law could be enforced.

32827. What would be the difficulties in enforcing a prohibitory law?—It seems to me that there would be the same difficulties that at present attend the enforcement of the license law.

32828. The difficulties that seem to attend the enforcement of a license law at present are to prevent licensees from selling after hours on week days, on Sundays and to minors. How could any one of those difficulties arise in case liquor was not allowed to be sold at all?—If the law could be violated in one respect in regard to many of its provisions, I do not see why it could not be violated in other respects.

32829. You think the same difficulties would exist as under the license law. Would any of the difficulties to which I have referred exist in a greater degree under prohibition than now?—One of the principal troubles in enforcing a prohibitory law would be the difficulty attending the capture of smugglers, the difficulty of finding out where liquor was being sold.

32830. You think, then, that one of the chief difficulties would be that liquor would be brought into the country illegally?—Precisely so.

32831. You think that it would be sold illicitly and that other evils would creep in?—There would be smuggling and violation of the law and infractions of the law far in excess of those prevailing under license.

32832. You say that you think a license law, properly enforced, would be the best measure, and in your opinion the law is not enforced now for lack of sufficient officers to do it. If a sufficient number of officials were appointed to enforce the license law, would you in that way be appointing a staff almost sufficient to enforce prohibition?—A great many more men would be required to enforce prohibition than to enforce a license law—it would be more difficult to enforce prohibition.

32833. Have you been in any section where there have been illicit stills in operation?—Yes.

32834. In what part of Canada?—Not here.

32835. Where?—In Tennessee, Georgia and Alabama.

32836. Has not the United States Government taken very stern measure to put down those stills?—Yes. The report for last year to which I have referred, states that 747 illicit distilleries were prosecuted in the United States.

32837. Were they attached by the United States Government for breaking the revenue laws?—Yes.

32838. Are there any other suggestions you desire to make that would be of advantage to the Commission in regard to the matters referred to them for inquiry?—If every hotel or restaurant were prohibited from having billiard or pool rooms where liquor was sold, and where the public cannot see what is going on, it would be an improvement.

32839. So you think that to secure a thorough enforcement of the license law, and to amend that law so as to contain such provisions as you have suggested, so as to have those places open to the public gaze, would meet the case better than legal enactments?—I do.

32840. Would you in that connection favour a rigid and frequent inspection of the liquor sold? Yes, by all means.

32841. Have you any reason to suppose that liquors are adulterated at the present time?—I have had no experience of that kind. I have here some more statistics. It is claimed by the apostles of prohibition that the various systems of prohibition, local option and high license and other forceful methods resorted to in the United States and in Canada, have reduced the extent of the liquor traffic on the continent. The same report from which I have already quoted, however, shows an increase of bushels of grain consumed in the manufacture of liquor in 1891, over last year of 1,144,740. Increase of gallons produced in 1891, over last year 6,559,957, an increase over the average production in the last ten years of 28,624,715 gallons. This increase must have been for home consumption as exports for those years decreased. This report also shows a steady increase in fermented liquors. For example, in 1862, only 2,006,625 barrels were manufactured in the United States, in 1891, it was increased to 30,478,192. Of course, that report is for the whole country.

EDWARD A. BURBANK.

*By Rev. Dr. McLeod :*

32842. The figures quoted by you would seem to show that there has been a large increase in the consumption of liquors in the United States?—Yes.

32843. Would that demonstrate to you the failure of prohibition or the failure of license?—It would demonstrate to my mind that all the agitators and temperance men who have attempted to grapple with the existence of the liquor traffic have been failures.

32843a. Does license prevail over a larger area in the United States than does prohibition?—I am unable to answer that question.

32844. Do you know whether prohibition has been attempted in more States than license?—I know that of thirteen States in the United States that have enacted prohibition laws, eight of them have repealed the laws.

32845. Does licenses prevail in more States than does prohibition?—I cannot say.

32846. Prohibition is a modern measure, I believe?—I believe, according to the best of my judgment, that a large proportion of the territory is under license.

32847. Would that increased consumption of liquor be attributable to license or to prohibition?—That is a difficult question to answer satisfactorily.

32848. Has the increase been larger in the licensed territory or in the prohibition territory?—I cannot answer that question.

32849. Perhaps you can turn to the pages of the book to which you have been referring and read the number of States other than those States you have quoted, other than Kansas?—What States do you mean?

32850. Of course I have not studied the book.—I picked out all the prohibition States.

32851. You spoke about States. You said there were a great many liquor dealers in Maine. Do you believe that there is more liquor used in that State than there was formerly, when licenses were issued?—I understand that there are a number of Federal licenses issued for the sale of liquor by hotels, which I have quoted.

32852. Are there so many established liquor dealers in Maine?—I could not state that positively.

32853. Do you know that in Maine those certificates are issued by the United States authorities, irrespective of the State law?—Yes.

32854. But it does not follow that because a man has a license to retail, he therefore has a retail establishment?—I suppose it would not follow as a legitimate consequence, but I suppose they do not take out licenses and pay their money for fun.

32855. Are many of these licenses for druggists or licensed vendors, men who sell in the different townships for medicinal and art purposes?—I presume some of them are.

32856. Are there many of such dealers in Maine?—Yes.

32857. Have you learned from that book what amount of money is paid for liquor in Maine, so far as it is possible to ascertain it, per year?—No.

32858. So you are not able to make a comparison between the amount expended on liquor in Maine and the amount expended in other States, bearing in mind the relative populations?—No.

32859. So far as the facts are ascertainable, I believe Maine expends about one million per year as compared with twelve millions in other States of similar population, and some people attribute this saving of eleven millions annually to a prohibition law, whether correct or incorrect I cannot say?—I think the dealers there are selling the same as other dealers in other parts of the world.

32860. Have you reason to know that of your own knowledge?—If you mean by my own knowledge, from what I have seen in Maine, I should answer in the negative; but if you mean by my knowledge generally, I would answer in the affirmative.

*By Judge McDonald :*

32861. Do you know that there is any liquor brought in from Boston and other places for private use in Maine?—I do not. I am speaking in regard to prohibition and in favour of temperance, but I have my own theories as to how it should be brought about. Those opposed to me hold different theories and I differ from them.



*By Rev. Dr. McLeod :*

32862. Have you seen the license certificates issued to Maine and Kansas people by the United States Government ?—Yes.

32863. Are they called licenses on the back ?—I think so.

32864. Is it not the receipt ?—I think they are called licenses.

32865. Do you know whether the receipt states that the holder is authorized to sell regardless of State licenses, or whether he can sell without a State license ?—I cannot say, but my impression is that it does not refer to the State at all.

32866. Do you know whether in Maine, in spite of the tax receipt of the Federal Government, men endeavouring to carry on a wholesale and retail business have been sent to jail and driven out of Maine ?—I do not doubt it.

32867. You have spoken about Carman ?—Yes.

32868. How large a place is it ?—It has between 500 and 600 inhabitants.

32869. Is there any police officer there ?—They have one now.

32870. Did they not have a police officer formerly ?—They had a constable.

32871. The people repealed the local option law, we believe ?—Yes.

32872. And they have appointed a police constable since ?—Yes. That was the measure I advocated before I closed my paper ; I wanted them to appoint a policeman to enforce the law, as violations were taking place every day.

32873. Do you think there has been any change in the condition of affairs under license as compared with local option ?—I do, for the condition has improved.

32874. You do not attribute that riotous state of affairs there to prohibition, I believe ?—Not at all.

32875. Prohibition did not cause those disturbances ?—Prohibition did not prohibit.

32876. Were those disturbances due to the failure of prohibition, or of the parties it charged with the enforcement of the law ?—The officer had not a chance to do his duty.

32877. If there had been an officer there to lay charges, would there not have been a better enforcement of the law ?—Perhaps so.

32878. Do you think it fair to charge a law, which involves a certain principle, with any infractions of the peace which occur owing to a timid officer ?—I do.

32879. You think it fair to charge it against the law ?—Yes.

32880. Why ?—You could not find a Napoleon or a Cæsar in every locality to enforce the law.

32881. If you enact a law that requires the best courage of a man to carry out and enforce, you will enact a law that it will be impossible to carry out ?—If the man had seen the law better enforced he would have subjected himself to personal danger.

32882. I think you said that you did not think the law enacted that condition of things, but that condition of things existed ?—I may have misapprehended the idea you attempted to convey.

32883. Since the place has returned to license, there has been a policeman appointed ?—Yes, one.

32884. But the appointment was advocated by you even before the local option law was voted out ?—Yes, to the best of my knowledge and belief.

32885. You have spoken about a well observed licensed law : do you know where there is such a law ?—I do.

32886. Where ?—In Deloraine.

32887. You think the license law is well observed there ?—Yes.

32888. How large a place is it ?—It is about the size of Carman.

32889. How many licensed places are there ?—I think two.

32890. Do you think the licensees observe all the provisions of the license law ?—At 11 o'clock the lights are put out, the doors are closed, and the houses do not open on Sunday.

32891. Have you seen any drunkenness there ?—Not during prohibited hours. I never saw a better and more orderly town in my life. It has a good reputation, and the people are intelligent and well-behaved.

32892. Do you think the people would be in favour of prohibition ?—I do not know ; they had an election on local option, and it was defeated. The polling places of

EDWARD A. BURBANK.



Carman are represented as Lorne and Morris. Dufferin is part of each of these municipalities now.

32893. In those places, the vote in favour of prohibition at the plebiscite would be, I believe, two to one, there being a majority of 440 for prohibition. How do you account for that vote in view of the people having in disgust repealed the local option law and returned to license?—I account for it in two or three ways. First, there was the political idea; and next, it was a provincial question, and the vote was taken all over the province; and in this way I think the vote was generally a protest against the lack of enforcement of the license law.

32894. Then you think the license law has not been enforced at all?—No.

32895. Do you think the sentiment of the people was, that the license law should be better enforced?—I cannot say that.

32896. Do you think it makes any difference whether the license law is well enforced or not as regards the amount of drinking?—I think it does with regard to drinking and drunkenness.

32897. Do you think it is worse for the people to provide the facilities for drinking? That opens a vast question—the question of personal right and personal liberty. It opens up the question as to whether it is proper to enforce sumptuary laws, whether it is proper to provide what such a man shall, and what he shall not, drink.

32898. Is a prohibitory law a sumptuary law?—Yes.

32899. In the proper sense of the term?—Any law prescribing what a man shall eat and what he shall drink and what he shall wear, is a sumptuary law in my opinion.

32900. You have expressed yourself in favour of prohibition, and it appears you are only opposed to it because you think it is not practicable?—Yes.

32901. You think it is not practicable because as a result there would be smuggling and illicit stills and a great many things of that kind?—Yes.

32902. Do you think all the smuggling and illicit stills would be worse than the effects of the drink habit and drink traffic as it is established to-day?—I do; I think the consequences would be worse.

32903. What do you think are the effects of the drink traffic: are they good or bad?—I regard them as bad.

32904. And you think the other effects would be worse?—Yes.

32905. Smuggling, for instance?—Yes, it could not be worse than the state of affairs to-day. In my opinion it would be a legalized fraud. New York, Maryland, Ohio, Connecticut, Delaware, Minnesota, Missouri, Massachusetts, Michigan, Indiana, Wisconsin and Rhode Island, all had prohibitory laws, and repealed them. I saw some time ago in a newspaper that was sent to me a report made by the Good Templars, and I believe by the Women's Christian Temperance Union, on prohibition, in which it was mentioned that the Scott Act had been repealed in nearly every county in the East, that the Dunkin and the Crooks Acts and the North-west prohibitory law had all gone the same way. All these facts show me conclusively that absolute prohibition is impracticable, for it has failed wherever it has been tried.

32906. Which do you think it would be easier to enforce, local or general prohibition—a general law prohibiting the manufacture, importation and sale of alcoholic liquors for beverage purposes?—I think it would be a fine thing.

*By Judge McDonald:*

32907. I understand you wish it to be placed on record that you yourself are favourable to prohibition on principle?—Yes.

32908. But you look upon it as impracticable to carry out?—That is it in a nut-shell.

MARTIN FERRE, of Winnipeg, on being duly sworn, deposed as follows :—

(*Translation.*)

32908a. I have resided in Manitoba since June. The firm I am connected with are importers of French wines and compounders of spirits. I held a position in France as an analytical chemist. We hold three licenses—a compounder's license from the Dominion Government, a wholesale license from the Provincial Government, and a business license from the city. The liquors we compound are anisette, chartreuse and curaçoa; we do not compound gin, but we have compounded light wines. These are manufactured from extracts of plants, to give flavour to the liquors, and alcohol and sugar. Light wines are made by the mixing of very cheap varieties of wine, such as currant or gooseberry wine, with a very rich wine of greater body, and in this way we are enabled to produce a claret or a light wine. We do not use glycerine or anything of that kind, because we find that the natural wines have the necessary ingredients to produce wine, having 17 per cent of alcohol, which is quite sufficient for our trade. In manufacturing wines, we do not make use of any deleterious substances whatever, in fact they are more of a tonic and are favourable to the health rather than harmful to it. If the Commission think it desirable, I can furnish an analysis obtained from the Medical College here. The formula used is the same that we are in the habit of using in France. When I have used any of the native liquors of Canada I have always first analysed them, and if I find that they contain any deleterious substances, anything harmful to health, I always reject them as not being suitable for the manufacture of liquors. If the Commission desire it, I shall be glad to make a report on the deleterious substances found in ordinary whisky. In order to obtain whisky of high class and other high class liquors a great expense has to be incurred, and of course for the working classes it is necessary to produce something of a less costly character, and therefore instead of using natural wines we use glucose of potatoes and other materials such as are often used in making whisky. This, of course, makes a sugar basis, on which an inferior liquor is compounded. Taken in small quantities, it would not be dangerous to health, but in large quantities it would be injurious. The quantity that would be harmful would depend very much upon the manner in which the functions of the body were being performed; of course where these functions were performed sluggishly, it would form a deposit. This would not occur with the wines manufactured by our firm, because we use natural wines, unmixed with any deleterious substances. Our compounds would not be more harmful than natural wines, because we use ingredients which are not harmful to health.

C. H. GRABURNE, Clerk of the Executive Council of the Province, on being duly sworn, deposed as follows :—

*By Rev. Dr. McLeod :*

32909. Have you the returns of the recent plebiscite?—I have the returns, but they are not complete. There are two or three ballot boxes that have not yet been opened. The reason why those ballots cannot be counted is due to the fault of the returning officer not fully carrying out the instructions sent at the time, which were to the effect that when the ballot boxes were sent, he was to furnish a complete and separate return of the plebiscite vote. In many instances this was not done by the returning officer, and the return was made for election of members of the Legislature.

32910 When your returns are completed, will you furnish the Commission with a special statement of the actual returns?—Yes. The reason why I cannot give the full statement now is, because three or four constituencies are yet under protest, and the boxes containing the ballots cannot be touched except by an order from the Court of Queen's Bench, and that cannot be done until after the trial has taken place. I will

MARTIN FERRE.

at the same time furnish the Commission with a copy of the Act authorizing the taking of a plebiscite vote.

32911. Do you believe that Manitoba, by the recent vote, expressed a real desire for prohibition?—Most undoubtedly, because at the present state of the vote it stands two to one in favour of prohibition.

32912. Then you think the vote of the people was given seriously, and not in fun?—Yes. I have the record of two constituencies only, in which the vote was adverse to prohibition. In one there was a majority of six against, and in the other fifty against.

32913. Do you believe that the Province of Manitoba would be benefited by the prohibition of the liquor traffic?—If I may be allowed to answer that question as my own feeling would dictate, I would say yes, being wholly in favour of prohibition myself. I firmly believe the country needs it, and that it is one of the steps towards the advancement of civilization which we have yet to take, and we have to take it quickly too.

32914. Do you believe that prohibition in Manitoba would be practicable if the law were enacted and attempted to be enforced?—I think it would be, I know of nothing to prevent it being brought into force here.

*By Judge McDonald :*

32915. Have you had any experience of a prohibition country?—No ; I came from England here.

32916. Have you studied the question in regard to the operation of prohibition in other places?—No ; I have only heard of it by hearsay.

32917. In case of the enactment of a prohibitory law, a law prohibiting the manufacture, importation and sale of alcoholic liquors for beverage purposes, do you consider that the brewers and distillers should be compensated for loss of plant and material?—I have not gone into those details or considered them, but I imagine something should be given to them.

32918. I suppose you are equally acquainted with the working of the license law?—Yes.

32919. Is it found to work satisfactorily in Manitoba?—Not at all.

32920. What are the difficulties?—I hardly know exactly. The difficulties are apparent, but I can hardly explain the causes of them. Probably non-enforcement of the Act would be one cause of it.

32921. Is it lack of a sufficient number of officers to carry out the Act?—It is lack of stringent enforcement ; I think there has been laxity in the enforcement of the law, which has given license to parties to break the law. I have seen so much trouble in connection with the sale of liquor after hours that I think the result has been found even worse than the sale of liquor during the proper hours.

32922. You are, of course, favourable to prohibition?—Yes.

32923. Would you prefer a license law or untrammelled sale?—I would prefer to have the license law done away altogether, and a prohibitory law passed.

32924. Would you prefer untrammelled sale or a license law?—License.

32925. Then you do not look on licensing as a sin *per se*?—If it was properly observed and properly carried out, probably there would not be such a persistent cry against the license law and as to the necessity of prohibition.

32926. Has the law not been amended from time to time with a view to making it more perfect?—Yes, but still it is defective.

EDWARD B. KENRICK, of Winnipeg, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

32927. What is your business or occupation ?—I am Public Analyst of the Inland Revenue Department for the District of Winnipeg, and am Lecturer on Chemistry in the University of Manitoba.

32928. You reside in the city at the present time ?—Yes.

32929. Did you come here from one of the other provinces or from England ?—I lived eight years in Ontario, but I came to this country from England.

32930. From whom do you receive the samples you analyse ?—From the Inland Revenue Department, through Mr. Costigan.

32931. Have you made analyses of intoxicating liquors ? Yes, I have analysed whiskies, brandies, ales and porters.

32932. Have you made such analyses frequently ?—Not until within the last year or so.

32933. Have you received many samples ?—I have twelve samples of whiskies and twelve of beer.

32934. No samples of wine ?—No.

32935. No samples of brandy ?—No.

32936. Was the whisky you analysed all of one kind ?—No, some was rye whisky, and some was white whisky.

32937. How did you find those liquors as regards purity ?—There is no legal definition of adulterated liquor, for there is no standard. The Adulteration Act merely refers to substances injurious to health.

32938. Did you find any such substances in those liquors ?—No, not within the schedule.

32939. Did you find any harmful ingredients ?—No.

32940. Nor in the ale ?—No.

32941. Then all those whiskies you would pass ?—Certainly. I may say that the whiskies were all of high standard and high strength of alcohol and had evidently not been watered ; although, as I have stated, there is no legal standard.

32942. Do you know the samples received merely by numbers ?—Yes.

32943. Do you send them to Ottawa or to the officer of the Department ?—I simply divide the samples into three parts, one for the Revenue officer, one to be sent to Ottawa and one for myself.

32944. Judging from the analyses you have made, are there any suggestions you could offer to the Commission in regard to the liquor question and with respect to the sale of liquor, that you think would be beneficial to the community ?—No, except that a standard of strength should be established in order to prevent watering alcoholic liquors.

32945. Do you think it would be better if there was a more frequent inspection of liquors and analyses made ?—Certainly.

32946. Would it be an improvement if they were made to a large extent ?—Yes. Another point I may mention is that most of the samples I have received were in the original bottles and not as sold in the country districts. It would be well if samples could be obtained of liquor as it is sold to the public, because it is stated that watering of liquor takes place in the country districts.

32947. A suggestion was made in Montreal that departmental officers should go and take possession, for a time, of the licensee's premises and take samples of liquor that are being sold in bulk and in decanters. Would you favour some proposition of that kind ?—Yes ; it would be better to have samples taken in that way.



HON. ALBERT C. KILLAM, of Winnipeg, Judge of the Court of Queen's Bench of the Province of Manitoba, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

32948. How long have you resided in Manitoba?—Nearly 14 years.

32949. Did you come here from one of the other provinces?—I was born and brought up in Nova Scotia; I studied law subsequently in Ontario and practised there some time before I came here.

32950. Did you practise law here before you were appointed to the Bench?—Yes.

32951. How long have you been a Judge of the Court of Queen's Bench?—Since the beginning of 1885, between seven and eight years.

32952. Have you noticed during your residence here whether there has been a change in the social customs of the people in regard to the use of intoxicating beverages, and whether it has been in the direction of temperance or not?—It is a little difficult to express an opinion. I should not think there has been any great change, probably there has been a decrease as compared with the increase in population.

32953. Do you find the city of Winnipeg a well conducted and sober city?—Very much so, on the whole.

32954. Do your duties call you to travel throughout the province?—Just to Portage la Prairie and to Brandon.

32955. How far has your observation gone in that respect?—Our people are a very sober and intelligent people on the whole, and there is very little crime.

32956. Do you try both criminal and civil cases?—Yes.

32957. Are you able to state what proportion of the criminal cases that come before you may be attributed directly or indirectly to intemperance?—I found not a very large proportion. I have taken the trouble, on account of the fact that some months ago questions were sent to the Judges, and which I did not answer at the time, because I had no time to look over my notes of the cases—to look into this matter, and speaking of the cases coming before me, I will state the result of my inquiry. There have been 28 convictions on criminal charges and 25 acquittals, or 53 cases on the whole. Out of the convictions—I am speaking only of the evidence before me as to cases that involved practically crimes without reference to the habits of the parties before, of which I had no particular knowledge—four were due to drunkenness. Nineteen were not in any way attributable to drink. Five were doubtful, for this reason: that so far as my being able to express an opinion, I could not do so, because three people pleaded guilty, and I therefore had no data on which to judge. One was a case of larceny of liquor, to which the offender pleaded guilty; and it is doubtful whether the drink question entered into that or not. One was a case of indecent assault, in which the evidence of the plaintiff made it impossible to say whether the act was attributable to drink or not. Of twenty-five acquittals, so far as the evidence goes there were four who might and should have been found guilty by the jury, and their cases were not attributable to drinking. One man pleaded guilty, and his offence was committed in a drunken row where both parties were drunk. There were eight cases in which there was very strong evidence against the parties, but they were not offences due to intoxicating liquor. Two were cases in which the persons appeared to be guilty of fraud, but which did not appear to come exactly within the law, and which were not traceable to drink; one was a case of assault on a constable, where there had been no use of intoxicating liquor used by the party.

32958. Taking your experiences at the Bar and on the Bench, have you found a tendency on the part of criminals to put forward the plea that they committed the offence while under the influence of liquor?—I have found it in a few cases, where the parties would plead guilty and would at the same time claim that they had been drunk.

32959. In those cases you had no opportunity of ascertaining how far that plea was true?—There was no evidence to show whether it was true or not.

32960. Have you had any connection officially with the working of the license law?—No.

32961. Neither at the Bar nor on the Bench?—No.

21—10\*\*

32962. As a citizen, have you noticed whether the law appears to be well observed in regard to sale on Sunday and after hours?—Speaking of the time I have been on the Bench, I have not had an opportunity of observing. In some cases which came before me there were isolated instances of what was known as sale during prohibited hours and on Sundays. I never had sufficient knowledge on which to judge whether that practice was general or not.

32963. Have you considered the question of the persistent drunkard, the man who is before the police court and is sent to jail, and in a few days is back again and keeps up the rotation. In your opinion, would it be better to continue that system, or to place such a man under restraint for a considerable time at a proper institution?—Persons of that kind had better be put under some restraint. We had such a law in this province at one time; it is still on the statute-book, but it has been allowed to become a dead letter.

32964. Have you had any experience of a prohibitory law?—No; I cannot say that I have had any great experience. I have been occasionally in countries where they have had prohibition but only temporarily.

32965. What countries?—I have visited and resided at Yarmouth, Nova Scotia.

32966. What was the sentiment there?—The sentiment appeared to be very strongly against the sale of liquor. I never was aware that liquor was allowed to be retailed there by the glass.

32967. It has been stated to the Commission that there has been no license granted there for 70 years? Not within my recollection at all events, I have never known personally, any violation of the law, that I can ever remember, and I only know that when I was a school-boy there was talk that there were places where liquor was sold illicitly.

32968. What other places have you visited?—I have made visits to Maine, but never stayed any time there. I just passed through, but I saw liquor sold quite openly.

32969. Were you in the North-west Territories when prohibition was in force?—Only occasionally.

32970. Did you see the operation of the law?—Very little. I remember some time ago I was at Fort Macleod for a day or two and at Calgary for a time, but never saw liquor sold. I have seen apparent evidence of parties having used it, and I have known it to be freely used; it has been offered to me and to others. I have seen bars that were pretty large and expensive to be kept up by the sale of ordinary liquor, and I have been told that they sold intoxicating liquors at them. But I did not see evidence of sale myself.

32971. I think in the Township of Colchester and in Essex they had the Dunkin Act which they attempted to enforce for a year or two?—I was occasionally in that township. I was then residing in Windsor. I have seen liquor sold at the hotels there, but how general the sale was, I could not say.

32972. Have you considered the advisability of a prohibitory enactment for the Dominion?—I cannot say that I have ever entered into the question very deeply. I could reason it out theoretically. As to enforcing such law, it seems to me it would be so exceedingly difficult as to be almost impossible. There are a large number of people who wish to use intoxicating liquors, and as there are always a large number wishing to drink, who will strongly object to any legislative action being taken to prevent the use of liquor, so with the existing conditions and with such feeling prevailing, and the sense of the community not being very strongly in favour of the suppression of the traffic, it would be very difficult to enforce a prohibitory law.

32973. Speaking as a trained jurist, what in your opinion is the effect on a community of having a law on the statute-book, such as a general prohibitory law, that is flagrantly and persistently violated? I think it would be demoralizing to a community in the sense of lessening their respect for law.

32974. In case such a law were passed would you deem it right that compensation should be made to brewers and distillers for loss of plant and property?—I should think so. I desire to say on the question of prohibition that a large number of persons desire to use intoxicating liquors, and I think it would be an undue act on the part of the majority to prohibit their obtaining them.

HON. ALBERT C. KILLAM.

32975. Taking the class of people who cannot be restrained from getting drunk, and some of those members appear before the courts repeatedly, and the class who use liquor in moderation, do you think it would be fair and proper to keep under restraint people who use liquor immoderately rather than shut it out entirely from the people who use it in moderation?—It would be much better to keep those who use it to excess from using it at all.

*By Rev. Dr. McLeod :*

32976. Do you consider that the people of Manitoba would be strongly in favour of enforcing a prohibitory law?—I hardly know what to say. The result of the recent vote was a surprise to me. In my opinion it may not have expressed the views of the people, for the reason that there was no practical outcome of it, it was not put into practical operation. Still I may be mistaken in that regard. I was surprised at such a large vote being given in its favour.

32977. Then it expresses the desire of the people for prohibition?—I suppose so.

32977a. Suppose that the plebiscite indicates the will of the people as strongly as the vote indicated, do you think that in that case it would be practicable in Manitoba?—I suppose it should be tested ; we can only reason as to that at present.

32978. Do you think it would be unjust if the majority enacted such a law, even if such a majority desired to remove the trade and the temptations that they claim are connected with it?—I think so. No doubt the majority would be seeking to invade natural rights for what they believed to be the best for the community.

32979. Suppose the majority take this view, that the prohibition of the trade is for the welfare of the whole community, and I suppose they claim that the trade is a constant menace to their families. Would it be right in the interests of the majority to impose their opinion on the minority?—That is a very difficult question to answer. I still hold my previous opinion, that the majority should not infringe on the natural rights of man.

32980. And I suppose the minority should not impose on the natural rights of the majority to protect themselves?—It might be so.

J. K. McLENNAN of Winnipeg, Grain Merchant, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

32981. How long have you resided in Winnipeg?—Nearly two months ; I recently came from Treherne.

32982. How long were you there?—About two years.

32983. How long have you lived in Manitoba?—Four years altogether.

32984. Did you come here from one of the other provinces?—I came from Ontario.

32985. From what part?—From Essex Centre.

32986. Had Essex County adopted a prohibitory law?—At the time I was there I think the Dunkin Act was in force.

32987. Is there not a large French population there?—Yes.

32988. Are you acquainted with the working of the Manitoba License Act?—Yes.

32989. How does it work, in your opinion?—I do not consider the law is very well enforced.

32990. Are you in favour of a license law?—I am not.

32991. Would you prefer a license law or prohibition?—Prohibition most decidedly.

32992. If you could not obtain prohibition, would you rather have a license law or untrammelled sale of liquor?—I should like to have the business restricted.

32993. If you could not get prohibition and were called upon to vote, would you vote for untrammelled sale or a license law?—I would vote for the most stringent license law I could get.



32994. Do you think the license law of Manitoba is a license law that is well framed for the purposes of carrying out restriction?—It is fairly well framed, and if one or two provisions were added, they would strengthen it materially in that respect.

32995. In what respect?—In a village where no licenses are granted, the law should provide that treating and distributing liquor should be prohibited, and the penalty should be made the same as that against selling.

32996. You mean that if a man gives another liquor, the offence should be the same as if he had sold liquor?—Yes, the same as if he had sold. We could enforce local option thoroughly if that provision was added to the present law.

32997. Is there any other amendment you desire to suggest?—I do not see any other weak point.

32998. Granted a license system, would you favour the limitation of the number of places where liquor is sold?—I would have the number reduced to the smallest number possible.

32999. Have you considered the question of high license?—If licenses are to be granted at all, the higher the license the better.

33000. Would you also have frequent inspection of the liquor sold?—That would be advantageous, perhaps.

33001. How long did you say you have lived in Winnipeg?—About two months; I lived in Winnipeg, however, some time ago.

33002. Do you consider that Winnipeg is a sober and well conducted city?—Yes, fairly so.

33003. What kind of prohibition do you favour?—Total prohibition.

33004. You mean total prohibition of the manufacture, importation and sale of alcoholic liquors for beverage purposes?—Yes.

33005. In case of the enactment of such a law, would you favour the granting of compensation to brewers and distillers for loss of plant and property?—I would not. I do not think the trade is in a position to claim compensation. I know that last year a number of licenses were cancelled, and no claim was made for compensation.

33006. Then you would not grant compensation to brewers and distillers for loss of plant?—I would not give any compensation.

*By Rev. Dr. McLeod :*

33007. Have you had any experience of prohibition, either general or local?—We are working under a no license plan at Treherne. We had a license at first, but the people finally protested it out of the town and no license has been granted since. The license was protested about a year ago.

33008. Comparing matters under license and under no license, which do you consider the more beneficial?—A town near there, called Holland, was working under license, while Treherne grants no license.

33009. Have you ever known on occasions when crowds gathered, as on 24th May and 1st July, that the people were boisterous at Holland, while the people at Treherne were quite peaceable?—Yes.

33010. Have you noticed similar differences in Ontario?—I have been in Carman, Manitoba, which has been working under local option, and it was quite different there. That law has, however, been repealed recently. It was repealed owing to the temperance people taking no interest in the contest, thinking that the regular by-law had been illegally submitted: it was submitted in a different form altogether. It was thought that there was no necessity to adopt a by-law which was understood to be illegal, and that was the reason why temperance people did not vote on the question of repeal.

33011. Then they took no interest in the vote, supposing it amounted to nothing?—No; they did not think the vote would affect the law.

33012. And then the law was repealed?—Yes, that was the result.

33013. What was your observation of the state of affairs in Carman under the changed conditions?—I had been a commercial traveller for many years, and visited Carman every three weeks, and my impression was that Carman was a very quiet town while local option was in force, and that there was very little drinking there. Some

J. K. McLENNAN



few people obtained liquor from Winnipeg occasionally, but on the whole there was very little drinking. At the present time I consider the state of the town to be quite the contrary.

33014. There are licenses now?—Yes, and a great deal of liquor is being sold in very noisy places.

33015. You do business at Treherne?—Yes, in the stores there.

33016. Do you know whether the granting of licenses has any effect on general trade?—I consider it safer to do business where no liquor is sold. I think the people pay their accounts better. It is necessary in the country to give credit, and I think if much liquor is sold it is dangerous to give much credit. You feel more inclined to accommodate the people when you know they are not drinking.

33017. They have more money because they are more thrifty, I suppose?—Yes.

33018. Have you observed whether the drink trade affects injuriously other businesses generally?—I think so. A large amount of money that would otherwise pass into proper channels is diverted into a channel from which no value is received.

33019. Do you think prohibition is a practicable measure?—Yes. I think a prohibitory law would be well enforced in Manitoba, judging from my impressions at Treherne, outside of a few parties who would be determined to keep a little liquor on hand. Outside of these few people, if the trade were prohibited, I believe there would be no difficulty in enforcing the law.

33020. You believe that even if there is that constant illicit sale, more or less, it is not so injurious as established taverns in the community?—Certainly not.

33021. Are you disposed to believe that if prohibition could be strictly observed in some districts like Treherne, it might be as easily and as strictly enforced all over the whole province?—That is my opinion. In travelling over Manitoba I have visited Treherne frequently, and from my observations I have seen the law there flagrantly violated and persistently violated by hotel-keepers. A license law is in force there. Of course the houses are supposed to close not later than 11 o'clock; but when more or less passengers came in by train, the hotel-keepers open out and liquor is sold very freely. I have also seen liquor sold before six o'clock in the morning, in two cases.

33022. So licensees are not particular to observe the prohibitory provisions of the license law?—They certainly do not.

33023. And illicit sale goes on even when men are authorized to sell?—Yes.

*By Judge McDonald :*

33024. Did you call the attention of the Inspector to these matters?—I did in one case, and he promised to look into it. He is very busy as a rule.

33025. Did you lay an information yourself?—I did not.

33026. A gentleman, favourable to prohibition, who publishes a newspaper in Carman has called attention to certain matters there. He has told the Commission that the Church of England services had to be changed on account of drunken disturbances while that law was in force. Do you know anything of the matter?—I never heard of anything of that kind before.

33027. He further stated that ladies were exposed to hearing language which was unfit to be heard, and he mentioned Sunday, August 28th, 1892, as one of the dates, and stated that he had called upon the Inspector to come forward and do his duty like a man. Did you ever read such reports in the Carman newspaper of that time?—I did not, but I heard that the reports were overdrawn.

33028. Was there any truth in them?—There might have been a little.

33029. I see the writer holds very strong views on the subject, and he says: "The time is not far distant when those who are now destroying their fellow-men with the accursed stuff will be made to realize the enormity of their crime." Of course that is the impression of a man who is evidently strongly opposed to the traffic. Did you live in the place at the time?—I was there frequently.

33030. That gentleman was living in the place and published a newspaper, and in that journal he pretended to be dealing with facts respecting his own town?—I think a great deal of discount can be given the articles in question, in view of the person who wrote them.

33031. But they were written by a man who was living there at the time?—I know as much about local option in Carman as the editor of the paper. I was there frequently.

33032. You think that you, as a visitor, know as much about it as a resident. Will you say that those statements are not true: that the Church of England services were not changed from one building to another?—No.

33033. Will you say that it is not true that ladies found the language so vile and filthy used toward them that they had to keep out of the way of it at the time that the Act was enforced?—I will not dispute that.

33034. Will you dispute that whisky was brought into Carman by express?—I am aware myself that whisky was brought into Carman at times, but not in large quantities.

*By Rev. Dr. McLeod:*

33035. Speaking about men using improper language in the presence of ladies: would they be more apt to avoid doing so under a license system?—It would be the same in any case.

CHARLES H. CORDINGLEY of Winnipeg, Accountant, on being duly sworn, deposed as follows:—

*By Judge McDonald:*

33036. I am informed that you are the Secretary of the Licensed Victuallers' Association of Manitoba?—Yes.

33037. How long have you lived in this province?—I have been here six years.

33038. Did you come from one of the other provinces?—I came from Montreal, Quebec.

33039. During the time you have resided in Manitoba, have you lived in Winnipeg most of the time?—Yes, except when I have been travelling about.

33040. Do you travel much?—I have not travelled much lately. During the first three years I travelled all over the country.

33041. Has your attention been called to the working of the license law in this province?—Yes.

33042. How do you find it work?—It is better observed in Manitoba, including Winnipeg, than I found it down below in the east.

33043. So far as you know, are its provisions well complied with as regards the enforcement of the hours prescribed and the persons who may sell?—Generally: there are always exceptions. There is, of course, a low class of places in every country where you will find the law violated, but, generally speaking, the law is well observed.

33044. Are there any suggestions you could offer to the Commission as to amendments or improvements to the law with a view to making it more efficient?—If the law was better attended to in regard to its enforcement, it would of course, have a better effect.

33045. Have you any reason to believe that adulterated liquor is sold?—In Winnipeg there is a better class of liquor sold than I have found in any other place. I am now speaking of twenty years' experience in the liquor trade.

33046. Have you found that the liquor traffic has any effect upon the general business interests of the community, that is to say any effect of an injurious character?—No.

33047. Has this province, during your residence here, been progressive?—It has.

33048. I suppose there has been an increase of population and an increase of wealth?—Yes, and it has increased in prosperity generally.

J. K. McLENNAN.

33049. Can you give any statistical evidence as to the liquor trade in Manitoba?—As Secretary of the Association I sent out a circular to the hotel-keepers all over the province, asking them several questions. I got a certain number of replies.

33050. Have you tabulated them?—I have the total figures. I submit a statement. [Appendix 2.]

33051. In regard to hotels, of course they do other business besides selling liquor, they entertain guests, and they have a number of employees who are not connected in any way with the liquor branch of the business?—I sent out these circulars so as to be able to submit this information to the Commission.

33052. This statement does not pretend to say that all those persons are concerned simply in the sale of liquor; but does it not include the total number of employees in the hotels?—It would seem to do so.

33053. Do you think all the people connected with the hotels would be thrown out of employment?—The statement is not intended to indicate the number of people who would be thrown out of employment. The people may have misunderstood my questions. This, however, is the answer I have received as regards the number of people who would be thrown out of employment, supposing a general prohibitory law came into force. In some replies the number merely included the bar-men and the bar-tenders, and in some cases, I am pretty sure, they included female help.

33054. I notice in your statement that 84 licenses are inserted, exclusive of the city of Winnipeg?—I have received replies from 25 out of the 84.

*By Rev. Dr. McLeod :*

33055. How long is it since you sent out the circular?—It was dated October 13th.

33056. You did not send it out till afterwards?—I received 8 answers to-day.

33057. This is your own testimony?—Yes, I am merely giving you a summary of the matter. I am acquainted with every man in the trade, and in some cases his own opinion is expressed and in other cases it is not expressed. I think this statement is a very fair average, and I would have been ready to put it in as from myself.

*By Judge McDonald :*

33058. Have you travelled through Manitoba?—Yes.

33059. Have you been at Carman?—Yes.

33060. How often have you been there?—Three times.

33061. What law was in force respecting the sale of liquor when you were there?—One time there were no licenses issued and afterwards there was a license law.

33062. What was your observation as to the state of the town?—I could always get anything I wanted to drink, whether local option was in force or not.

33063. How about the other sections?—As regards Treherne, it was the same.

33064. And what about the other places?—I never was in a local option town yet and could not get a drink, although I am a moderate drinker; but when I feel like getting a drink, I want to be able to get it.

33065. Have you been in the North-west Territories?—Yes, to Prince Albert and Regina.

33066. How did you find the law carried out there?—I did get a drink.

33067. Was that when the prohibitory law was in force?—Yes, it was two years ago.

33068. What kind of liquor was it, good or bad?—In Prince Albert it was very bad liquor, and I did not repeat the drink very often. In Regina, I got a glass of very poor whisky.

33069. Then you went further and fared worse?—Yes.

33070. It is hardly necessary to ask you whether you are favourable to prohibition. What is your opinion on that subject?—I am not a drinker, but I would hate to be deprived of taking a glass of beer. I think it would be an interference with personal liberty. I am opposed to it on principle.

33071. Supposing such an enactment was passed, could it, in your judgment, be enforced?—Not only would it be impracticable, but it would be impossible.

33072. In case such a law was passed, do you believe it would be right that compensation should be made to brewers and distillers for loss of plant and machinery ?—Decidedly ; not only to brewers and distillers, but to men who would be forced out of the calling.

*By Rev. Dr. McLeod :*

33073. Would you go further, and say that compensation should be given to these people who were deprived of the liberty of getting a drink ?—There is no compensation that would satisfy such a case.

*By Judge McDonald :*

33074. Would they be deprived of that liberty—holding your view of the enforcement of the provision—or would they be able to get drink ? Would they not be able to get it in such an event ?—Yes.

*By Rev. Dr. McLeod :*

33075. Then is there any interference with personal liberty ?—I could get a drink, no doubt, if I felt like it ; but I would not care, because then I would run the risk of getting other people into trouble. I would not want a man to break a law for me. If I can go and obtain a glass of whisky as a right, I want to do so ; but, at the same time, I would hesitate to ask a man to break a law for me.

*By Judge McDonald :*

33076. From your experience, would you favour an increased use of light wines and ales and a diminished use of the heavier liquors ?—Yes.

33077. You think that would be an advantage to the people ?—I do ; but I am speaking selfishly, because I like beer, but I do not drink strong liquor.

*By Rev. Dr. McLeod :*

33078. Would that not be an infraction of the liberty of the man who wants whisky instead of beer ?—I favour the increased use of light wines and beer by moral suasion.

33079. Speaking about depreciation in property : do you believe there would be 50 per cent depreciation in property ?—Yes, not only of the property that would actually be thrown out of employment by the enactment of the law, but it would depreciate the value of other property in the city.

33080. Then you think other property would depreciate if the saloons were closed ? Yes, decidedly. As many houses would be out of use, the natural effect would be to depreciate the value of other property.

33081. Have you observed whether the existence of the saloons depreciates the value of property in the vicinity ?—I have never known it so.

33082. Have you ever observed whether the existence of the saloons caused property to be sold, but not for homes ?—In what way do you mean ?

33083. Because of the inability of the patrons of the saloons to build homes on account of patronizing the saloon ?—You mean that a certain number of men will squander money in the saloon ?

33084. Do you know that property in the vicinity of the saloon is depreciated in value, and that the insurance rate is increased because of the proximity of the saloon ?—No. I heard that statement made about increased insurance, and I very much doubted, at the time, the correctness of the assertion.

33085. Do you believe that all those employees you have indicated would be thrown out of employment ?—I think that a discount can be made on the number.

33086. Do you believe that those thrown out of employment would go to other sections of the country in vain to find something to do ?—I do as regards Winnipeg. I know that there are a number here now who are seeking employment. In my store to-day there was a man who wanted employment.

33087. Then if there was an increase in the number of licenses, those people would be able to find employment ?—No.

CHARLES H. CORDINGLEY.



33088. Why?—Because as it is now, it is very hard for a number of those in the trade even to pay their way.

33089. Are there too many of them in the trade?—Yes.

33090. Then you think it would be better to have a less number in Winnipeg than is the case now?—To a certain extent it would be better for those left in the trade, for it would make them able to make more money.

33091. Do you think licensing a number of places would diminish the number of drunkards?—No, I do not.

33092. Then reducing the number of licensed places by means of high license does not lessen the amount of drinking, but gives a monopoly to a select few in the trade?—Yes, of the better class, and at the same time it increases illicit sale.

33093. Then there are classes and grades in the trade?—High license gives a monopoly to a few of the better class and encourages illicit trade.

33094. Is there illicit trade in Winnipeg?—I know of one case in which a man was brought to book and punished.

33095. Was that through the instrumentality of the licensees?—I could not say; it was a recent case in the police court.

33096. Is there illicit sale by licensees, such as selling after hours and on Sundays?—I have heard of such cases: four of them were brought up last week.

33097. I understand that you are an accountant in some city firm?—I am with Villie, Carey & Co.

33098. In what trade is the firm engaged?—Wholesale wines and liquors.

33099. I understand that you are Secretary of the Licensed Victuallers' Association. What is the object of that Association?—The by-law of the Association states that:

“The object of this association shall be to unite all the members thereof in a social compact for the purpose of protecting their rights, resisting arbitrary or unjust laws relating to their business, to assist the authorities in the suppression of low and unlicensed houses, to maintain the respectability of its members, to gather and disseminate practical and useful information relating to the trade in all its bearings, to refute and repel the unjust aspersions cast upon the trade by many so-called temperance people, and to vindicate the truth based upon the experience of all civilized communities; that through fair and reasonable license laws, properly enforced, the cause of rational temperance is most surely advanced and sustained. Finally, to promote social friendship and good will, encourage all good qualities of head and heart, and keep good-fellowship with all true friends of civil and religious liberty.”

33100. You think that the trade does accomplish those results mentioned and that it does “encourage all good qualities of head and heart”?—There are always black-sheep in every society.

33101. You are associated together to see that all fair and reasonable license laws are properly enforced: does the association do that?—It is only recently that we have been organized.

33102. How long has the society been in existence?—Three months, hardly that, I think.

33103. His Worship the Mayor has informed us that there has been an attempt within the last ten days to secure better enforcement of the law. Is that the reason of the association's activity?—No. It is to prevent the violation of the law; and I recently went around and asked the licensees to obey the law.

33104. Why? Are the members of the association co-operating with each other in regard to this matter?—Not officially.

33105. Did it come to your own knowledge that officers were about to bestir themselves in regard to the enforcement of the law?—Last week four summonses were taken out.

33106. Was that the reason you went around and told the licensed victuallers that they had better be careful?—Not that they had better be careful, but that they should simply observe the law.

33107. The association did not assist the officers to enforce the law, but when it found that officers were going round to look after illicit sale, the licensees were told to be on their guard and were advised to obey the law. Is that correct?—The association was not aware that the officers were making any extra efforts to maintain the law.

33108. Is it one rule of your association that its members must obey the law?—Yes.

33109. When members are known not to obey the law, are they disciplined?—They will be if the matter is brought to the association's notice.

33110. Is it the case that some of the members do violate the law?—That has not been done as yet.

33111. Is it the duty of the members of the association to inform the others about illicit sales?—Yes.

33112. They have done that?—They have not had occasion.

33113. Have you any idea that there is illicit sale in Winnipeg? What is your impression from your observation or from hearsay?—Do you mean by licensed or unlicensed dealers?

33114. I mean by authorized people selling?—I have heard of one case, and that came to my knowledge indirectly by happening to go to the police court, where I found a man being tried on that charge.

33115. You say that there have been some licensees fined for selling after hours?—No, I have said summoned.

33116. Have none within the last three months been fined?—Not to my knowledge.

33117. Then those three men were summoned and have not yet been dealt with?—The cases have been postponed, and I believe they will be tried to-morrow.

33118. Supposing they are fined, will the society take notice of the fact and discipline them for violating the law?—No doubt notice will be taken of the fact.

33119. I see you do not believe in prohibition?—No.

33120. Your reason for not believing in it is, I understand, that you think it would be impossible to carry it out. Why?—Because it would be an interference with the liberty of the subject.

33121. Is the only liberty of the subject the liberty to drink, or is that his chief liberty?—It is one of his chief liberties to decide what he shall eat and drink, for any man by law has a right to decide what he shall eat and what he shall drink.

33122. You think it would be such an interference that it would be impossible to carry out the law?—Yes.

33123. Is it right for parents to protest against what they regard as a menace to their children and to the happiness of their families and their homes?—A man can protest or do what he thinks proper, but he cannot compel me to take his view of the subject.

33124. If he regards your trade as a constant danger to himself and to his boys and to his neighbour's boys and to the community at large, is he right to interfere with danger and remove that danger if he can?—Certainly, if he can.

33125. Are they right to ask for the overthrow of the drink trade?—A man has a right to do whatever he thinks proper.

33126. Then you believe that every man is a law to himself?—No.

33127. What is your opinion as to the drink trade and its effects; are those effects beneficial or injurious?—The moderate use of liquor is decidedly beneficial.

33128. I am not speaking of the moderate or the excessive use, but of the drink trade. Are its effects beneficial or injurious?—The effects of the moderate use of liquor are decidedly not bad.

33129. But what is your belief, after 20 years' experience in the liquor trade and being officially connected with it, of the effects of the drink trade and the drink habit?—That it does affect persons one way or the other—it may affect perhaps one per cent.

33130. Then you think it injures one per cent?—No more than that. It affects some people in that way, the same as some people are affected by over indulgence in eating certain kinds of food; but I would not go so far as to say that because a man makes a mistake in over-feeding himself on certain foods which disagree with him, all other men must be deprived of those foods.

33131. Do you put the two cases on the same level?—No. But I would as soon dictate as to what kind of food a man shall eat as to what he shall drink. If a man wants to drink, let him drink. If he makes himself a nuisance or is a burden or interferes with other people, then let that man be punished.

33132. Then you think every man has a right to do what he thinks is proper?—Providing he is not hurting his neighbours.

CHARLES H. CORDINGLEY.

33133. If the community think that the drink trade is hurtful to its members, is it right for the community to overthrow the drink trade?—No, I do not think so.

33134. Do you believe there is any right anywhere to interfere with the drink trade?—In what way?

33135. Do you believe it would be right for any power under any circumstances to interfere with the drink trade?—Do you mean the manufacture, importation and sale?

33136. I mean the whole of it?—If a Government, sustained by the people, say it must not be, naturally I say : obey the law. I am a stickler in regard to obeying the law.

33137. So then if Parliament, voicing the feeling and desire of the people, should enact a prohibitory law, you believe that it would be right?—Yes.

33138. You believe that all men should obey the law?—I believe decidedly, that all men should obey the law.

REV. JOHN SEMMENS, of Winnipeg, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

33139. With what religious denomination are you connected?—I am a minister of the Methodist Church, and I am President of the Manitoba and North-west Conference.

33140. How long have you resided in Manitoba?—For five years.

33141. Before you came here where did you reside?—I resided in the District of Keewatin for a number of years. It is 20 years since I came to the city.

33142. From what province did you come?—From Ontario.

33143. We have had already before the Commission the opinion of the Methodist Church of Canada on the liquor traffic, given at the General Conference in 1890. Do you personally concur in that view?—I do ; I was a member of that Conference.

33144. I suppose the action was unanimous?—Practically so, I think.

33145. You concur in it, at all events?—There was no reservation so far as I was concerned.

33146. That deliverance was strongly in favour of prohibition. Is that your opinion also?—Yes.

33147. Has the Conference, as a body, passed on the question of granting compensation to brewers and distillers in the event of a general prohibitory law being enacted?—I am not aware that the subject of granting compensation to brewers and distillers has ever been taken up by the Conference.

33148. What is your personal view in regard to that matter?—My personal view is that compensation would not be demanded, is not expected, and should not be made.

33149. You think that justice would not require it?—Yes.

33150. Taking the license law, have you any suggestions you would like to make as to amending the law?—I hardly know how to answer that question.

33151. Do you consider the license law itself to be a sin?—To my own mind the traffic is sinful ; and the licensing of it would be of the same character.

33152. That view, of course, must be taken as qualifying an answer?—Yes.

33153. But taking the license law as it is now in existence, are there any amendments you could suggest?—There are amendments I could suggest, one of which is to take away the licenses from saloons and confine the sale of liquor to houses of public entertainment. It occurs to me that the saloons exist merely for the purpose of handing liquor out to men. That feature of the trade should be abolished.

33154. Are there any other suggestions you could make?—I entertain a very strong feeling on this question. I have heard questions asked by the Commission in regard to drink and drunkenness. In my opinion the first class hotel is likely to be more seductive in its power than the low class hotel. I would, therefore, like to have the premises arranged so that people entering by the front door would not see the bar of the hotel.

33155. Where would you have the bar placed?—I would have it perhaps on the side, entirely apart from the general traffic. What I mean is this : the bar is easily



accessible from the entrance. Men of weak appetites will visit it on very slight pretext, whereas they would not go so often probably if they had to make some effort to reach it.

33156. Would you, then, have it detached from the other part of the house? Yes.

33157. Are there any further suggestions you desire to offer?—I have no further suggestions to offer on that line.

*By Rev. Dr. McLeod :*

33158. Has Manitoba in its North-west Conference taken some action in the direction of prohibition : has it followed the line of the General Conference and taken strong action in that regard?—I have here its latest deliverance. The first six provisions that I will present to the Commission were submitted to the Conference and discussed, and all accepted by the Conference without reservation. I will read the provisions. (Appendix 3.)

33159. Have you had any opportunity of observing the operation of the license law and local option in this western country.—I have not had an opportunity of observing local option, but I have observed the operations of the license law.

33160. Have you observed that a license law really diminishes drinking?—I have not.

33161. You have already said, I understand, that you personally are in accord with the deliverance of your Conference on this subject : so I scarcely need ask you whether you are in favour of prohibition or not?—I am.

33162. Have you noticed the operation of the prohibition law in the North-west or in Keewatin?—Yes, I have, and I have also had a view of prohibition that no one has mentioned to this Commission. Prohibition was introduced by the Hudson Bay Company many years ago, and its effect was felt over the whole Territory then governed by the Council of which Sir George Simpson was the President. That prohibition was decided upon by the Hudson Bay Company's Council in session, for the purpose of protecting the hunters on the one hand and for the purpose of preserving the Company's trade on the other hand. It was carried into effect in the most wholesale fashion by the refusal of the authorities to ship any liquor from England, and for a number of years this prohibition prevailed all over the North-west. The immediate result of it was that business increased, that the health of the people was very much improved and life was preserved. I know that from observation, I know it also from statements made, and I also know it from printed statements of the Hudson Bay Company, issued before this province was a province of the Dominion.

33163. Do you know what induced the Hudson Bay Company to take that action?—The fact that their gains were falling off. Rum was very freely used, the hunters were dying, the trade was suffering and something must be done. The Council came to the rescue, and at once decided that this must be done which I have indicated, and it was done ; and the expression of the Council was that the measure was a beneficial one both as to the hunters' health and as to the financial returns of the company.

33164. You would regard that action as a business one on the part of the Hudson Bay Company?—I think it was, although in their charter there is a distinct clause which sets out that they have not only business influences over the communities but social and religious ones as well, and they work in accordance with those terms.

33165. Do you know any instances of the enforcement of a practical prohibitory law in the Hudson Bay Territory where the benefits were very marked?—I have a number of recollections respecting men who were in the country and connected with the company at that time.

33166. Were you a missionary in that region then?—Yes, for a number of years. I know a number of men who were at that time habitual drinkers, men who were more or less constantly under the influence of drink, who would make any sacrifice to get it ; but when the supply was cut off, they became good citizens and able hunters.

33167. Do you know whether the men rested content with the supply being off?—I have heard them, with deep feeling, declare their thanksgiving that it had been cut off.

33168. So the company's action was really a blessing to them?—So far as my experience has gone it was a positive blessing. It was not only a blessing to the individuals themselves, but to us.

REV. JOHN SEMMENS.



33169. The Hudson Bay Company in distributing liquor did it, I believe, in the way of trade?—Yes.

33170. Suppose the Hudson Bay Company had established, at various posts throughout the territories, licensed places under certain restrictions, do you think they would have accomplished the same result as was secured by adopting a drastic measure of prohibition?—They had that, practically, all the time. The people lived in forts, and were practically banished from the company of white men. They were practically prohibitionists, and yet under that system and under those restrictions, the evil crept in which the Council saw must be removed.

33171. Respecting the public feeling in Manitoba: do you believe that the recent plebiscite was a fair and honest expression of the public desire and purpose respecting the liquor trade?—I have no reason to think otherwise; I have never seen any reason for thinking otherwise. I believe, so far as the plebiscite went, it was an honest expression of public opinion.

33172. Do you consider that the vote was a large one as compared with the vote for the members of the Legislature?—Yes.

33173. Have you reason, from your knowledge of the country and your knowledge of the people, to believe that if a general prohibitory law were enacted, it would be fairly well enforced?—I should be guilty of lacking respect for my fellow countrymen if I made a statement to show that I did not believe it.

33174. So you expect the Provincial Government at the next session of the Legislature to introduce a measure for prohibition, I suppose?—I do not think that I have faith enough to dare to expect that much. I have hope, however, that they will move in the right direction. I would not have prohibition unless it could be in force constantly.

33175. Which would you prefer, Provincial prohibition or Dominion prohibition?—I would very much prefer Dominion prohibition.

33176. In your opinion would the Dominion Government submit a larger and more perfect measure?—Yes.

*By Judge McDonald:*

33177. Do you know whether the Hudson Bay Company have liquor at their stores now?—Not unless it is for private supply.

33178. Was the private supply for their own factors ever done away with?—No.

33179. So the result was that the factors could always obtain liquor for their own use?—Very largely so, although the Company's law was that liquor could not be taken into the North-west except by special permit from the Lieutenant-Governor.

33180. That was the law until recently?—Yes.

33181. We have evidence before the Commission from the manager of the stores here that the Company deals in liquor in this city?—Yes, I was speaking about Keewatin, entirely.

The Commission adjourned.

WINNIPEG, October 27th, 1892.

The Commission met this day at 11 a.m.

*Present :*

JUDGE McDONALD.

REV. DR. McLEOD.

THE HON. JOHN SCHULTZ, Lieut.-Governor of Manitoba, appeared before the Commission and presented a written statement, which was read, as follows :—

To the Honourable the members of the Royal Commission on the Liquor Traffic in session at Winnipeg.

Gentlemen,—

33181a. In requesting me to make a statement before you upon the various matters within the scope of your Commission, I understand the subjects to have been classified under several heads as follows :—

1. The effect of the liquor traffic upon all interests affected by it in Canada.
2. The measures which have been adopted in this and other countries with a view to lessen, regulate and prohibit the traffic.
3. The results of these measures in each case.
4. The effect that the enactment of a prohibitory liquor law in Canada would have in respect of social conditions, agricultural, business, industrial and commercial interests, of the revenue requirements of Municipalities, Provinces and the Dominion, and also, as to its capability of efficient enforcement.
5. All other information bearing on the question of prohibition.

I have to request that what I am now about to say may be considered as relating mainly to that part of the Dominion with which I am most familiar, viz., from Ontario to the Rocky Mountains and particularly to Manitoba. Passing by the first of these subjects to deal with it in closing this statement, I have to say regarding No. 2, that I came to this country in 1860 ; that the conditions then obtaining were, civil government by the Hudson Bay Company, whose chief resident official was styled the Governor of Assiniboia, aided by a Council selected by the Hudson Bay Company's directors in London, whose functions were advisory and legislative rather than executive ; the circular Territory thus governed being called "Assiniboia," the extent of which was a radius from Upper Fort Garry of 50 miles. Among the laws passed by the Governor and Council in 1862, were the following relating to furnishing the means of intoxication to Indians :

"If any person, without distinction of race, supply or sell to any person popularly known as an Indian, or any member of an Indian nation, the means of intoxication, he shall, on being convicted before a petty court, on the oath of one or more witnesses, be fined for each offence, as follows :

Two pounds for furnishing any brewing utensils, the fine to go to the informer ;

Three pounds for furnishing malt ; the fine to go to the informer.

Five pounds for furnishing beer or any fermented liquor ; the fine to go to the informer.

Ten pounds, for furnishing distilled spirits, or any other immediate cause of intoxication than fermented liquors : half the fine to go to the informer.

In every case the offender, after conviction, to be imprisoned until the fine is paid.

In addition to these fines, the offender shall make restitution to the Indian of all the equivalent which he may have received, if any, for such furnishing, every part of such equivalent, not being money itself, being valued for the purpose at prime cost.

If an intoxicated Indian commit or threaten to commit an unprovoked violence, he may be imprisoned, in addition to any specific punishment, till he prosecute the person who may have been guilty in the matter.

If any person possess, or have possessed, malt or beer or spirits, or any other of the above means of intoxication in the society or tent of any Indian, he shall be held guilty of furnishing such means of intoxication to Indians.

HON. JOHN SCHULTZ.

And the following License Law, which was amended early in January, 1866, and in the spring, fall and winter of 1868 :—

It shall be lawful for the bench of magistrates of the peace and petty courts in their several districts assembled, on the first Monday of the month of June in each year, or at other times when they deem it expedient, to issue licenses, which will be in force till the first Monday in June, then next following, to approved applicants (who shall be land owners in the settlement), allowing the sale by retail on their own premises of all spirits, wines and beer lawfully imported, or of native manufacture (all quantities of wine imported under one gallon, and all quantities of beer under eight gallons, shall be counted retail) ; the sum of ten pounds be paid for a license so issued for the sale by retail of beer alone ; and any person selling spirits, wine or beer by retail, without such license, shall on conviction before a petty court, on the oath of one or more witnesses, for each offence, pay a fine of ten pounds sterling, and be imprisoned until the fine be paid—one half the fine shall go to the informer,—and the form of the licenses shall be according to schedule A or B ; any offence against the provisions of said license shall be paid by forfeiture of the same ; and in addition, in case of infraction of the provisions of said licenses as regards Indians, the offender shall pay the special penalty for furnishing the means of intoxication to Indians.

The license issued under this last provision made the retail quantity anything under five gallons, and subject to the following restrictions :—It could not be sold between the hours of nine at night and six in the morning, not at any hour during the Sabbath, not to any intoxicated person and never to an Indian, under penalty of forfeiture of the license.

Each petty court, out of the fund arising from licenses and penalties, shall defray any necessary expenses incurred in enforcing the laws against the illegal sale of spirits, wines or beer, or the furnishing of the means of intoxication to Indians accounting to the Governor and council for all such receipts and expenditure.

No action shall lie for the recovery of penalties for any breach of the laws for regulating the sale of intoxicating liquors, unless information shall have been given within six months after the commission of the offence.

In addition to the retail license a wholesale license was issued to such persons as supplied intoxicating liquors in larger quantities than five gallons, the fee for such license being ten pounds.

The operation of these laws was confined, as I have said, to a radius of 50 miles from Upper Fort Garry. The Government of the country and the enforcement of these laws continued till November, 1869, when a period of very high handed license indeed, took the place of constituted authority, and continued till the arrival of the Canadian and British Expeditionary force under Colonel Wolsely, in August, 1870, after which the Assiniboia laws were adopted by the Lieutenant-Governor and Council till the first Provincial Legislature had been elected and had time to deal with the subject.

The commission of the first Lieutenant-Governor of the Province of Manitoba empowered him, with the assistance of a Council, to make and enforce laws for all of the Canadian North-west, and this Council passed a general prohibition law, which was enforced by the employment of the Mounted Police, a force raised partly for that purpose, who promptly repressed the armed liquor forts known as “Stand-off” and “Whoop-up” and prevented the employment of liquor for trading purposes in the North-west. When railroad construction commenced in the North-west, a prohibitive measure was adopted by the Dominion Parliament in those clauses of the Public Works Act which relate to the line of construction and its immediate neighbourhood.

The powers of the first North-west Council ceased when a separate Government was given to the North-west Territories in 1887,—and the various restrictive and prohibitive Ordinances of that Government are so well known that I need not refer to them.

The various Acts of the Legislature of this Province are all so well known, they need not be recapitulated by me, and you will no doubt have received the official returns of the votes cast for and against prohibition at the late general election in this Province.

In the district of Keewatin, which is under the rule of the Lieutenant-Governor of Manitoba, prohibition has been and is in force by virtue of the following clauses of Cap. 53 of the Dominion Consolidated Statutes of 1886 :—

#### PROHIBITION OF INTOXICANTS.

35. No intoxicating liquor or other intoxicant shall be manufactured or made in the said district, except by special permission of the Governor in Council,—nor shall any intoxicating liquor or intoxicant be imported or brought into the District from any Province of Canada, or elsewhere, or

be sold, exchanged, traded, or bartered, except by special permission, in writing, of the Lieutenant-Governor. 38 V., c. 49, s. 74, *part*.

36. Intoxicating liquors and intoxicants imported or brought from any place out of Canada into the District, by special permission, in writing, of the Lieutenant-Governor, shall be subject to the customs and excise laws of Canada. 40 V., c. 7, s. 9, *part*.

37. If any such intoxicating liquor or intoxicant is manufactured or made in the District, or imported or brought into the same, or is sold, exchanged, traded or bartered, in violation of this Act, it shall be forfeited, and may be seized by any officer of the customs or excise, or by any constable or other duly qualified person wheresoever found; and, on complaint made before him, any judge, stipendiary magistrate or justice of the peace, on complaint as aforesaid, may issue a search warrant, as in cases of stolen goods under the "Act respecting procedure in Criminal Cases," and when the same is found, may cause it to be forthwith destroyed; and the still, machinery, keg, barrel, case, box, package or receptacle whence or in which any intoxicating liquor or intoxicant has been manufactured, imported or made, sold, exchanged, traded or bartered, and as well that in which the original supply was contained as the vessel wherein any portion of such original supply was supplied as aforesaid, and the remainder of the contents thereof, if such still, machinery, barrel, keg, case, box, package, receptacle or vessel aforesaid, respectively, can be identified, may be seized by any officer of the customs or excise, or by any constable or other duly qualified person, wheresoever found within the District: and, on complaint before any judge, stipendiary magistrate or justice of the peace, he may, on the evidence of any credible witness that any of the provisions of this Act have been violated in respect thereof, declare such intoxicating liquor or intoxicant, still, machinery, vessel or receptacle forfeited, and cause the same to be forthwith destroyed: and the person in whose possession any of them is found shall incur a penalty not exceeding one hundred dollars, and not less than fifty dollars, and the costs of prosecution; and a moiety of such penalty shall belong to the informer, and the other moiety shall belong to Her Majesty for the public uses of Canada. 38 V., c. 49, s. 74, *part*.

38. Every person who manufactures, makes, imports, sells, exchanges, trades or barterers an intoxicating liquor or intoxicant, except by special permission as aforesaid, or in whose possession or on whose premises such intoxicating liquor or intoxicant of any kind is found, shall incur a penalty not exceeding two hundred dollars and not less than fifty dollars, a moiety of which shall belong to the informer. 38 V., c. 49, s. 74, *part*.

39. Every person who knowingly has in his possession any article, chattel, commodity or thing purchased, acquired, exchanged, traded or bartered, either wholly or in part, for any intoxicating liquor or intoxicant, shall, for each offence, incur a penalty not exceeding two hundred dollars and not less than fifty dollars, a moiety of which penalty shall belong to the informer. 38 V., c. 49, s. 74, *part*.

40. Every article, chattel, commodity or thing, in the purchase, acquisition, exchange, trade or barter of which the consideration, either wholly or in part, is any intoxicating liquor or intoxicant, shall be forfeited to Her Majesty, and shall be seized as hereinbefore provided in respect to any receptacle for any intoxicating liquor or intoxicant. 38 V., c. 49, s. 74, *part*.

41. Every person who refuses or neglects to aid any constable, sub-constable or other duly authorized person in the execution of any act or duty required under any of the six sections next preceding, or who knowingly refuses to give information, or gives false information in respect to any matter arising therefrom, shall incur a penalty not exceeding two hundred dollars and not less than fifty dollars, a moiety of which penalty shall belong to the informer. 38 V., c. 49, s. 74, *part*.

42. Every penalty incurred under any of the seven sections next preceding shall be recoverable, with costs of prosecution, by summary conviction, on the evidence of one credible witness, before any judge, stipendiary magistrate or justice of the peace having jurisdiction in the district; and such judge, stipendiary magistrate or justice of the peace shall, on payment of the penalty, pay the informer his share thereof; and in case of non-payment of the penalty and the costs immediately after conviction, the convicting judge, magistrate or justice may, in his discretion, levy the same by distress and sale, or commit the person so convicted and making default in payment of the said penalty and costs, to any common jail or house of correction or lock-up house within the district, for a term not exceeding six months, unless the said penalty and costs are sooner paid, and, upon conviction for a subsequent offence, the offender shall be liable to a penalty not exceeding four hundred dollars and not less than two hundred dollars, and in the discretion of the convicting judge, magistrate or justice, to imprisonment for a term not exceeding six months. 38 V., c. 49, s. 74, *part*.

43. No seizure, prosecution, conviction or commitment under this Act shall be invalid for want of form, so long as the same is according to the true intent and meaning of this Act. 38 V., c. 49, s. 74, *part*.

So that until the recent North-west Ordinances, Dominion prohibition enactments covered all that part of Canada, except Manitoba, which lies between Ontario and British Columbia, and between the States of Minnesota, North Dakota and Montana to the northern limit of Canada and the north-eastern limit of Alaska, a territory more than half the area of the whole Dominion.

As I am not able to speak from actual knowledge of the measures which have been adopted in other countries with a view to lessen, regulate and prohibit the liquor traffic, I will pass on to the consideration of the third of the heads of your inquiry, viz.:—3. The result of the measures in each case.

HON. JOHN SCHULTZ.



This brings me to speak of the first restrictive measures of the Hudson Bay Company's District of Assiniboia. As to these, I have to state that the measures, as at first adopted and subsequently amended, were upon the whole well carried out, there being a consensus of opinion among the whites and others in the Red River Settlement that these restrictions were necessary and, knowing that the Government of that day was without an armed force to repress any serious disturbance, it was believed that no regulation could be too stringent which had for its object the prevention of liquor selling to Indians. I have said that when Canada obtained in August, 1870, possession of the country, the Assiniboia liquor law was temporarily continued and the results were about the same as before. The second of the measures which I have mentioned, viz.:—Prohibitive Acts of the first Council for the North-west, were speedily put into execution by an armed force, the North-west Mounted Police, and the lawlessness, violence, drunkenness and debauchery consequent upon the conditions which then obtained in some parts of the North-west were immediately repressed, and for the first time since liquor had first reached the Piegiens, the Bloods, Blackfeet and part of the Crees, their country could be traversed in safety. Protection to the extension of mission effort was given and the way made clear for treaties with formidable and well armed tribes, who have never since broken their treaty stipulations, the Indians receiving for their robes and furs substantial value instead of the liquor, which was before the principal article of trade. Without the prohibitions then adopted and enforced, it would have been difficult to treat with, and practically impossible to govern the tribes which I have mentioned. It aided also the settlement of the country; wealthy parents of dissipated sons saw in it the means of reform and prosperity, and money was freely provided to such settlers by those interested in their welfare, during the period when prohibition obtained, and it was doubtless the salvation of many others besides those who came under my own notice.

Passing on to the prohibitive measure embodied in the Public Works Act; I have had ample opportunity in this province during early railway construction, of judging of its effects, and especially as I had opportunities of comparing the conditions which obtained on our railway construction with those upon the Northern Pacific and other Minnesota railway lines. On the construction of the Pembina branch of the Canadian Pacific Railway and on the eastern section of the Canadian Pacific Railway, nearest to Winnipeg, the clauses of the Public Works Act were rigidly enforced, while on the construction of the American lines mentioned, robbery, murder, debauchery and drunkenness kept pace with the grading and was increased with the track laying of these lines. I have no hesitation in stating my belief that railway construction in Manitoba has been unmarred by a single crime of a serious nature, and that this is due to the fact that in this case prohibition did prohibit. And while I am speaking of railroads, I desire to state that I have good reason for believing that the remarkable immunity of the Canadian Pacific Railway from collision and wreck is as much due to the rule of that Company not to employ in any capacity, where the lives of passengers are endangered, any man who is known to drink while on duty, as it is to unsleeping watchfulness of that Company on the bridges, culverts and dangerous parts of their roadway, and on their motive power.

In speaking of the practical results of the prohibitive Act which relates to the District of Keewatin, I desire to say that I have been materially aided in the attainment of these by the commissioned officers of the Hudson Bay Company, by the missionaries in the District, by the justice of the peace and by a commissioned officer and five constables of the North-west Mounted Police who have undertaken the duty of a water patrol on one of the most exposed parts of the district, and that this aid has made prohibition prohibit; and the direct results are that in four years no crime has been committed, and no greater comparative advance has been made in the work of any mission district anywhere in the North-west. I append for your information the form of permit used, two gallons to one person for medicinal purposes only being allowed for one year, the application for which has to be recommended by a justice of the peace, a missionary, or the head of the Indian Department of the Hudson Bay Company here. Exceptions are only made in the case of sacramental wine.

With respect to section 4 of your instructions, I believe the vote cast in favour of prohibition at the recent general election in this province to have been the expression of

the matured conviction of our people upon a subject which has been engaging their thoughtful attention for many years, and must, I think, be accepted as their final decision. In giving it, I think our people are convinced that prohibition is, after all, the only radical cure for the evils which local option and the earnest efforts individually, in private and in the pulpit as well as banded in societies, which temperance workers have made to check or lessen the evils caused by intoxicants.

The effect of such a measure as has been asked for in the recent plebiscite, would, in my opinion, benefit our social condition and our industrial and commercial interests. I do not think that the revenues of such rural municipalities as I am familiar with would be injured by such a law, and while in the case of cities and towns the revenue would be decreased to the extent of the amounts collected for licenses, yet I am of the opinion that this would be more than counterbalanced by the saving in police, fire and other costs of protection to life and property. As to the possibility of enforcing a prohibitive law, I am of the opinion that such a law can be enforced, and in fact it would be insulting to the well known law abiding spirit of the people of this province to suppose that infractions of it would come from within; and in endeavouring to estimate the chances of infraction from without, I have arrived at the conclusion that, considered from a geographical point of view, no province of the Dominion is so well situated for the enforcement of prohibitive measures. Two-thirds of our frontier on the south borders upon a state which has adopted prohibition. On the east we have only one avenue for the introduction of liquors, a railway communication (the Canadian Pacific Railway), easily controlled; on the north a prohibitive district and on the west Territories which are not likely for years yet, to be a source of danger in this respect. The weak part would be that portion of our frontier on the south which joins on the State of Minnesota; yet it will be remembered that a Mounted Police force patrols along the boundary line, and even if this were not so, the fact of the condition which would free liquor from Internal Revenue Tax of the United States for transport across the boundary necessitates, I believe, a certificate of its import, from a Government official.

There remains only the possibility of infraction of the law by illicit stills on this and on the other side of the line, and the smuggling of liquors on which the United States revenue tax has been paid. Our province is too open for the successful secretion of such stills on our side, and it must be remembered that the punishment for the owner of such still on the United States side is as great as on ours, and the owner would run the risk of the infraction of the law of his own country and of this. Finally, regarding the smuggling of ordinary liquor from the United States, it must be remembered that the price of such is largely in excess of the present prices here, and therefore there would be less inducement. And on the other hand, while more profit could be had now in smuggling Manitoba liquor into Dakota, I have reason to believe that, though their frontier is far removed from their seat of Government, the measures adopted by them have been quite sufficient to keep Manitoba liquor out.

In dealing with section No. 5 of your inquiry. I will also include any observations I have to make regarding No. 1, and I shall pass by the statistics of imports and consumption of spirituous liquor, as you will have had these from authoritative official sources. I have alluded to the benefit to the Indians accruing from prohibition measures in the north and north-west, and I desire to add a few words regarding the Indians of Manitoba, viz.: that as long as liquor is sold at all in Manitoba, the Indians of this province will get it. Civilized or savage, Christian or heathen, it is all the same; there is that in his Mongolian blood which cannot resist temptation, and nothing will save the aboriginal portion of our provincial population but prohibition. These conditions, less accentuated, are also present in other portions of our population, and although the advent of a larger proportion than formerly of married people with families, and the increased energy of temperance and Church workers has decreased the open use of liquors, yet statistics show that there is still a vast provincial expenditure for intoxicating drinks which, even if the practice was harmless, is not justified in a new province, which possesses no wealthy leisure class, where every one is a worker, and the average of our people much younger than in the older provinces.

HON. JOHN SCHULTZ.

It is often asserted that the use of liquor is necessary with men who have to undergo unusual and long-continued fatigue, under circumstances which cause exposure to wet and cold, and it has occurred to me to cite in refutation of this assertion, the three military expeditions to this country. The first of these was in 1846, when 400 men of the 6th Royal Infantry, with a small detachment of the Royal Artillery and Sappers and Miners were sent to Red River Settlement by way of York Factory and had to transport over the many slippery, and often over rough and miry portages which intervene between Lake Winnipeg and the sea, a number of six and three pounder brass guns, mortars, shot and shell, and immense quantities of military stores, without any but the usual rations being served out. The next—Pensioners of the Royal Canadian Rifles—came over the same route in 1868, and more recently the better known expedition of Lord (then Colonel) Wolsely with a Canadian and British expeditionary force, which made themselves and their commander famous for the physical obstacles which they overcame, had simply a double ration of tea and not one drop of spirituous liquor. The official report of the great commander ascribes the health of his men and the speed of the expedition partly to that fact. His enforcing prohibition among troops who were doing the hardest possible work, and wet for days together, as a means of success in the rapid transit of his men and stores to the scene of action and his landing in Manitoba without the loss of a man, is refutation from a very high source, of the assertion to which I have referred.

I am, gentlemen, respectfully yours,

JOHN SCHULTZ.

WINNIPEG, 27th October, 1892.

The Commission adjourned, to meet in Brandon.

BRANDON, October 29th, 1892.

The Royal Commission on the Liquor Traffic met here this day.

PRESENT :

JUDGE McDONALD.

REV. DR. McLEOD.

JUDGE McDONALD, in opening the proceedings, said that as the Royal Commission had been read in Winnipeg, the reading might be dispensed with here, and the Commissioners would at once proceed to discharge the business, the usual rule being followed of calling officials as the first witnesses.

JOHN CAMPDEN TODD, Police Magistrate of Brandon, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

33182. How long have you lived in Brandon?—About 11 years.

33183. How long have you been Police Magistrate?—I have been Police Magistrate, I think, five years; I have been a Justice of the Peace here eight years.

33184. Did you come here from one of the other provinces?—I came from Ontario, originally. I came direct from San Francisco to Brandon. I went from Toronto to San Francisco and from San Francisco here. I was formerly of Toronto, Ontario.

33185. During the time you have been in this country, have you noticed any change in the social customs of the people in regard to the use of intoxicating liquors? In your opinion, is less of such liquors used than formerly?—I do not think there has been much change during that period, at least it has not come to my notice. In early years there was a great quantity of liquor drunk promiscuously that is not drunk now. The practice in this respect is somewhat different to what it was formerly, but at the same time, I think, I am safe in saying that there is about as much liquor being used now as then, if not more.

33186. Do you mean proportionately?—Yes.

33187. What is your jurisdiction?—My jurisdiction is the Province of Manitoba.

33188. I mean what is your jurisdiction in regard to the cases that come before you?—I adjudicate on all cases that come up in the police court, every kind of offence, such as drunkenness, disorderly conduct, in fact everything.

33189. Breaches of the city by-laws and ordinances, I suppose?—Yes.

33190. Do you take preliminary hearing in cases sent for trial to other courts?—Yes.

33191. How do you find Brandon in regard to crime: do you find it to be a well conducted place?—Yes, I think it is. I think the people of Brandon are law-abiding citizens.

33192. Have you many cases of drunkenness before the police court?—I suppose the cases of drunkenness in the police court would average about fifteen per month; I do not think more than that number.

33193. Have you many cases of breaches of the licence law in the Province?—Yes, quite a few of them.

33194. Of what nature are they?—Both for selling after hours and during prohibited hours, and selling without a license.

JOHN CAMPDEN TODD.



33195. Can you give the Commission any idea of the number of cases of illicit sale that would come before you in a year?—Not from memory.

33196. Have you no private record that would show the number?—No.

33197. Do you find in regard to illicit sales that the same parties are before the court again and again?—Very frequently.

33198. Are the same persons before the court frequently for breaches of the license law as regards selling during prohibited hours?—Yes.

33199. Do you also find in cases of parties brought before the court for drunkenness that you have the same individuals before you repeatedly?—There are cases of that kind, but still not a great many. As a rule in our court the majority are new cases.

33200. Are they residents or people who come into the town on business?—I should say that one-third were residents and another third composed of the floating population. I make it a rule in the police court that when parties come up very frequently to impose so severe a punishment that it will prove a lesson to them.

33201. Do you find it has a good effect?—I think it has.

33202. Taking the case of the man who comes up repeatedly, his life is almost a procession from the saloon to the jail and from the jail to the saloon. Is it advisable to frequently imprison him, or would it be better to commit him for a longer time to some institution where he might possibly reform, or at all events be kept apart from the rest of the public?—That is a difficult question to answer. I do not think that the imposition of fines reduces drunkenness, because a man who is addicted to liquor will have it no matter what the consequence may be. So far as imprisonment is concerned, under our laws I cannot imprison a man when the fine is paid. As a rule the fine is paid; if the party cannot pay it himself, he will have some friend who will pay it for him. So as a rule the fine is paid, and I have had very few cases, at all events until quite recently, when parties have been imprisoned because their fines have not been paid. This summer there has been quite a floating population in the city on account of the public works going on, which have been the means of bringing in a great many rough characters, and within the last two weeks I have had occasion to commit several parties for non-payment of fines.

33202a. Does your recollection of Toronto go back to the time when the notorious character, Harry Henry, whose terms of imprisonment ran up to hundreds, was alive?—No, I was only living in Toronto for a few years; I came originally from the County of Peel.

33203. Do you think imprisonment in such cases works any reformation?—No, I do not think it does. I look upon imprisonment in this way: when persons are imprisoned it hardens them; they become callous and indifferent, and they would as soon be sent to jail as not.

33204. Taking the cases of crime investigated before you and sent to other courts for trial, do you find any large percentage are due to the excessive use of intoxicating liquors?—I might say that I have found it to be the case.

33205. From your experience in hearing cases of breach of the license law, can you make any suggestions to Her Majesty's Commissioners which they might report to Parliament, that would tend to improve the law?—The only suggestion that I can possibly make, if it can be done, would be pure prohibition.

33206. I am speaking generally and with special reference to the license law which you have in force. Can you suggest any amendment to that law?—I do not know that I can do so.

33207. Do you think the law in its present form is as perfect a license law as can be made?—The license fee could be increased, but it is a question whether that would lessen drinking, in fact, I do not think it would do so. Take, for instance, the period during the American rebellion. Whisky was sold on the other side of the line for 25 or 35 cents a glass and brandy for 50 cents a glass, and yet there was as much liquor drunk then as there was when liquor sold at 10 cents. If the license fee was increased the sellers would have to increase the price of drinks, and I do not think that would lessen the use of liquor.

33208. Would it diminish the number of licensed places?—There is a question about that, and I doubt whether it would have any effect either way. If a person wants

to drink, he will do so. If he cannot get liquor in an ordinary number of places, and if the trade is restricted by high license fees, the effect will be to drive the trade to those who paid these high licenses. I question very much if that would reduce drinking.

33209. Would it not reduce the temptation?—I think not.

33210. Have you men in your employment who find it difficult to resist the temptation to drink? Suppose a man travels thirty miles in the country on business and has only to pass one tavern, is not the temptation to drink less than if he had to pass five taverns?—That might be true if the proposition was to reduce the number to that extent.

33211. The proposition I submitted to you was whether the reduction of the number of places would lessen the evils that result from drinking and from the traffic?—I have heard that question argued a great many times, both in this country and in the United States, and it seems to be the general opinion that people who are in the habit of drinking will get liquor, even if they have to go miles to get it.

33212. From the statement you have made I gather that, in your opinion, prohibition is the only measure that would reduce drinking?—I think so.

33213. Do you think such a measure could be so effectually worked as to do away with intoxicating liquor?—It might be effectually worked, but it would be hard to do so.

33214. What difficulties would you apprehend?—I would apprehend difficulties in many ways. In case of prohibition, liquor would be smuggled, and it would reach families that do not have it now. I had a case before me a day or two ago of a party who was summoned for selling liquor without license. There was nothing before me to show that he had done so. He sold liquor of some kind that he claimed was a native wine, but I do not think there was any doubt that the native wine was adulterated or mixed with other liquor, although there was nothing before the court to show it. During the examination of the party, I found that there was a room in his building where there were glasses on the table and bottles of gin. Tom, Dick and Harry could go there and drink what they pleased. That appeared before me in evidence.

33215. Was that within the city?—No; it was in a rural district. Of course there was nothing to show that the proprietor or owner of the building was connected with it. The suggestion was made that it was brought in by some outside party, that he was treating the "boys" in that way. That is one example of smuggling, and as I have said before, in the case of a prohibitory law being passed, there is no question at all but that it would increase the desire for that kind of thing.

33216. Have you had any experience of a prohibitory country?—No.

33217. Have you considered this question, whether in case of the enactment of a prohibitory law and the smuggling of liquor, there would be temptation to substitute adulterated compounds, which are cheap and fiery?—No, I do not think so. I think that pure liquor and comparatively pure liquor is brought in and adulterated after it reaches the country, adulterated in the country itself, for that is where I believe the adulteration takes place.

33218. A suggestion has been made to the Commission, that owing to the seizure of whisky that occasionally takes place, dealers will run no risk, and therefore buy cheap compounds, so that in case of seizure their losses are not so great?—I do not think so. At all events, that is a new idea to me, and I never heard of it before.

33219. You think the adulteration takes place in the country?—I think so beyond question.

33220. Have you had any experience as to the mode of adulterating liquors?—No.

33221. Has any evidence been submitted before you in any case?—No.

33222. In case of the enforcement of a prohibitory law, would you favour the granting of compensation to brewers and distillers for their plant?—If those men went to large expense and the law protected them in carrying on their business as it seems to have done, it would hardly be reasonable, right or proper to cut away their return and earnings without making recompense in some way. They have gone to a very large expense for their plant, and paid money for being allowed the privilege of carrying on their trade, and they have thus complied with the law, and it seems to me they should be recompensed in some way for their returns, which would be taken away from them.

JOHN CAMPDEN TODD.

33223. You spoke of having lived in San Francisco. What system of dealing with the liquor traffic was in force there?—Drink was sold in every place and every where.

33224. Was there a license system in force?—Yes, high license. At Minneapolis and St. Paul the licensees pay from \$1,000 to \$1,500 per license.

*By Rev. Dr. McLeod :*

33225. How many licensed places are there in Brandon?—I think there are eight now.

33226. Have you reason to believe that there are many illicit places?—I do not think there are any. They are looked after pretty sharply.

*By Judge McDonald :*

33227. Then the illicit sale of which you have spoken occurred outside of the city?—Outside of the city entirely. The question may come up further on, but I might explain here that illicit sale that takes place—I mean selling without a license—takes place, as a rule, in houses of ill-fame.

*By Rev. Dr. McLeod :*

33228. Are there many houses of ill-fame in Brandon?—Three, perhaps four.

33229. Do you find they sell rum?—There is no question about it.

33230. Have you found that there is much illicit sale by licensees: do they have sale after hours and on Sundays?—Yes, a good deal. It is a very difficult thing, I find, to convict them for that offence.

33231. What is the difficulty? The difficulty is simply this, that the witnesses or a great many of them, belong to a class of people who want to shield the hotel-keepers as much as possible, and for that reason it is very difficult to get correct answers from them. To questions as to whether they were in that house on such and such a day at a certain time, they are very apt to reply that they do not know, and that they cannot remember.

33232. These witnesses have remarkable lapses of memory, I suppose?—They have.

33233. Do you find in other cases which come before you that the witnesses have more or less personal interest in the results of the case and their memories are similarly affected?—No.

33234. Then those bad memories seem to be peculiar to liquor cases?—I have never had any trouble about getting answers from witnesses except in such cases.

33235. Do you think the liquor traffic is responsible for that condition of memory?—I do.

33236. Are there many cases before you of sale after hours?—They would not average more than one a month.

33237. Might there not be more cases if they were not so difficult to prove?—Yes.

33238. Do you think that kind of sale is quite general?—I do.

33239. Is it your observation, then, that the licensees to any extent make efforts to observe the prohibitory provisions of the license law, that is to observe the provisions which say that they shall not sell after certain hours and on Sunday?—I think so. I think the cases of selling after hours are more particular in regard to friends and regular customers, who want drink, and rather than offend them, they will give them liquor. I think that is where the trouble arises. I do not think that the hotel-keepers and the licensees have any desire to break the law, but at the same time they do not wish to offend their customers.

33240. In addition to the cases of drunkenness which come before you, are there many cases for other offences tried before your court for petty thefts, disorderly conduct and so forth?—A great many.

33241. Do you find any proportion of the petty thefts and disorderly conduct cases or of vagrancy are attributable to the drink trade and to the drink habit?—Yes, I think so.

33242. Is it a large proportion or a small one?—I should say perhaps one-half.

33243. Have you many juvenile cases coming before you?—Very few cases indeed.

33244. Then the boys are pretty well behaved here?—Yes.



33245. Have you observed whether the drink trade or its establishment affects other businesses, and if so, whether it affects them injuriously or beneficially?—It is a very difficult question to answer. In some cases it would help and in other cases it would not.

33246. Help in what way?—What I mean to say is this, that it will help certain business men and certain classes of trade. I have noticed that parties who are addicted more or less to drinking go and do their trading or a good deal of it with shop-keepers who are of the same class as themselves.

33247. You mean drinking men?—Yes; I have noticed that in many instances.

33248. Taking business as a whole, do you think the business of the community is affected beneficially by the existence of the drink trade in the community?—I do not think so.

33249. There are eight licensed places in Brandon, which perhaps will gather in during the year at a low estimate \$75,000?—I presume so.

33250. How many people are there in Brandon?—5,000, I think now.

33251. Do you believe that it would be beneficial to the community if this \$75,000, instead of going into the bar-rooms, were distributed in other channels of trade?—I think the money would do very much more good.

33252. I believe there was a plebiscite recently in this province on the prohibition question. Do you remember whether Brandon voted strongly one way or the other on that question?—It did. I think, if I remember correctly, about two-thirds of its vote was for prohibition.

33253. Do you understand that, according to the opinion of the people of Brandon, it would be a good thing to have a prohibitory law?—I think so.

33254. I think you have already said that there would be difficulties attending the enforcement of a general prohibitory law. Do you believe, in spite of those difficulties, such a law would be possible of enforcement?—No; I do not think that any prohibitory law can be enforced, that is, so as to be able to keep liquor entirely out. I do not believe that it is possible to do it.

33254a. Do you think that if prohibition failed to keep liquor out entirely, it would be a useless measure; or do you think that if it kept it out in a large degree, it would be a benefit?—There is no question in my mind but that if the liquor traffic was prohibited or liquor was kept out, it would be a great benefit to a great many people.

33255. There is not a law I believe—or if there is you will state it perhaps—which is absolutely enforced. Every law with which you have to deal in your court is violated more or less, I suppose?—Certainly.

33256. Yet you believe those laws to be good, and enforce them so far as you are able to enforce them, and with effect?—Yes.

33257. Would the same thing be true of a prohibitory law, if it were enforced in a good degree?—I think it would.

33258. You regard the vote of the people on the plebiscite, taking the whole province, as expressing the desire of the people to have a prohibitory law?—Yes.

33259. I ask you this question because some witnesses have intimated that the people did not mean that at all?—I will explain. I noticed at the time the question was before the people that it was not placed before them or explained to them as explicitly as it might have been. It seemed to be an off-shoot of something that came in last or at the tail end, or as something not worthy of much notice. I had occasion to observe that. If the question had been properly explained to the people, I think the vote would have been a different one to what it was at the last general election here.

33260. Would it have been against prohibition?—That is the question. I happened to be in one of the voting places at the time of the plebiscites for a couple of hours, and I noticed that the prohibition question came up at the very last moment. The voters had cast their ballots for members of the Legislature and this was taken up as a side issue. I noticed a great many people said, "Oh, I do not care about it;" and started out. There did not seem to be the time and consideration given to it that should have been given. I observed that.

33261. Do you think that if the people had given more attention to it, they would have voted the other way?—The question was asked individuals if they did not want to

JOHN CAMPDEN TODD.



vote, and the answer was frequently given that they did not want to have anything to do with it. Then the men would start out. Of course, that man's vote counted for nothing; of course it was neither for nor against.

33262. He did not vote?—He would have voted against prohibition, and I noticed a great many people would have done so.

33263. Do you mean that many of the people who voted for it would have voted against it?—No.

33264. So the vote for it would not have been diminished, but the vote against it would have increased?—Yes, quite so.

*By Judge McDonald :*

33265. You have spoken of the effect of other laws administered in your court by you being well observed?—Yes.

33266. Do you find in regard to the enforcement of all other laws there is a difference of opinion in the community from that which prevails in regard to this matter? Do you not find that this is a question different from all other questions?—There is no doubt whatever about that.

*By Rev. Dr. McLeod :*

33267. Do you think this is in any degree because the liquor traffic, instead of being prohibited, has been promoted and authorized, and therefore people have not the same thought and feeling about it? For instance do you think that if the trade had been prohibited for so many years as the offences have been prohibited to which you have referred, the people would have had the same feeling about the trade now as they have in regard to those other matters?—This being a new question sprung on the people here and this being a new country, it appears to me, that it is difficult to answer that question.

JAMES KIRCALDY, of Brandon, Chief of Police, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

33268. How long have you resided in Brandon?—Fourteen months.

33269. Where did you reside before you came here?—I had no particular place of residence. I came here from the old country. I was in the army and was moved from one place to another.

33270. How long have you been Chief of Police?—Since April, seven months.

33271. How do you find Brandon : is it an orderly and well conducted city?—It is a very law-abiding place, as far as I have found it ; compared with the places where I have been—exceedingly so.

33272. Taking the cases which you have to deal with, do you find any large proportion are attributable to drunkenness?—From January 1st, I have had before the Police Court 54 cases for drunkenness.

33273. Do you know how many other cases have been before the court?—There have been from January 1st to the present date, 147 cases before the Police Magistrate.

33274. Of the balance of the cases over the 54 for drunkenness, was any proportion to be attributed to drunkenness?—Looking over my rough record book I calculate that about 31 other cases are so attributable.

33275. Have you any duties to discharge in connection with the enforcement of the license law?—Yes, but that part of the work is more looked after by the License Inspector.

33276. I notice by the statute-book that you can take certain cases?—Yes.

33277. But you say that the work is principally done by an Inspector?—Yes.

33278. What is his name?—James R. Foster.

33279. Have you lived in a country where a prohibitory law has been in force?—No.

33280. Travelling about as a British soldier, you have visited a number of places all over the world?—Unfortunately, during eight years' service, I never left the United Kingdom, and I was only in England, Scotland and Ireland.

33281. Then you came direct from the old country to Manitoba?—Yes.

33282. Taking your experience of the old country, did you find that intemperance was diminishing there or increasing?—So far as I could judge, there did not seem to be any difference, but it was just about the same. Of course, I have never been at any place in the Dominion except Brandon, but I have found that drunkenness is less here than it was in the old country.

33283. Have you any suggestions you could offer, from your experience, as to amendments to the license law?—I do not think it would be advisable to increase the license fees.

33284. Or limit the number of places?—I do not know that that would produce benefit either; it might in the rural districts but not in the city, because if the houses were limited the people would get liquor in some other way.

*By Rev. Dr. McLeod:*

33285. Have you found difficulty with illicit sellers here?—I have never had a case; the Inspector lays for them pretty well.

JOHN McDIARMID, M.D., Mayor of Brandon, on being duly sworn, deposed as follows:—

*By Judge McDonald:*

33286. How long have you resided in Brandon?—About ten years and a half.

33287. Did you come here from one of the other provinces?—I came here from Ontario.

33288. What part of Ontario?—From Elgin County.

33289. How long have you been Mayor of the city of Brandon?—Only during the present year.

33290. During your residence here, have you noticed any change in the social customs of the people as regards the use of intoxicating drink?—We have had more drunkenness this year, because our public works are going on, and there are more people in the city, a greater number of labouring men.

33291. Take the city as a whole, is it quiet and orderly?—It has been a very orderly city during my stay here.

33292. Will it compare favourably with cities in Ontario of the same size with which you are acquainted?—I think it is quite as orderly.

33293. Have you ever lived in a country or a city where prohibition was in force?—No, I have not.

33294. Have you been brought into contact with the administration of the license law?—No.

33295. Then you are not in a position to suggest any amendments to the law as it is at present?—No, I am not, unless we had high license.

33296. Have you any reason to believe that adulterated liquors are sold here: have you any knowledge of that fact?—No.

33297. Have you considered the question of prohibition?—I have considered it to some extent.

33298–99. What is your opinion in regard to it, formed upon your experience as a physician, as a public man and as a citizen?—It might be a good thing if it could be successfully carried out, but I have great doubts about the practicability of the scheme.

JAMES KIRCALDY.

33300. Why do you apprehend difficulties in carrying it out?—It is very difficult to legislate people into the right way of living. Although we shut them up from getting liquor from one source of supply, they will, if they are so disposed, get it somewhere else.

33301. Supposing such a law were enacted, would you favour the granting of compensation to brewers and distillers for loss of plant?—I think they should be compensated to a certain extent.

33302. Speaking as a physician, have you found the effect of the use of liquor has been injurious?—I think in many instances it has been.

33303. Have you in any case found the use of liquor beneficial?—It is a matter of considerable doubt in my mind as to whether I ever saved a patient by it or not. I have never been quite sure that I have done so.

*By Rev. Dr. McLeod :*

33304. I think I understood you to say that there might be some benefit from high license?—I think so, because it might in this way get better men to conduct the business.

33305. Have you noticed what the effect of the business has been on men engaged in it?—Most of them have become intemperate ; of course, some have not.

33306. Do you think that if high license and a limited number of places prevailed, the sale of liquor would be less?—Possibly a little less, but I do not think materially so.

33307. Would the prices of liquor be raised in order to pay the high license fee?—That would be very apt to follow.

33308. You have said that you do not think prohibition would be practicable?—Yes.

33309. What would be the difficulties, other than the one you have mentioned, that it would be very difficult to legislate people into right living?—That is the main thing. I think there would be considerable crime committed in trying to evade the law ; I think it would perhaps lead to crime in that direction.

33310. Do you think the crime committed in attempting to evade the law would be greater than crime that is supposed to result from drink?—I am not in a position to be able to speak on that question.

33311. That would be supposition, I suppose, as we have not yet had an opportunity of judging?—Yes.

33312. Having made the statement that it is difficult to legislate men into right living, I ask you this question : if a man will do wrong, do you think it is well and right to provide facilities for that wrong doing?—No ; I would not favour any encouragement to do wrong.

33313. Do you think that if a prohibitory law were fairly well enforced, it would be productive of good results?—I think certain good would result.

33314. Take Brandon, for instance. At the recent vote, I understand from the Police Magistrate, that Brandon expressed a desire for prohibition ; do you think that expressed the feeling of all the people or only a part?—I mean throughout the whole province also?—Yes ; I think there is a general desire.

33315. If prohibition were enacted in Manitoba, do you think it could be well enforced?—In the face of the vote, it could be.

*By Judge McDonald :*

33316. Have you considered the desirability of encouraging the use of light wines and ales and trying to do away with the heavier liquors?—No.

33317. Do you not think that this question of the liquor traffic is different from all others in the public mind?—It is a difficult question.

*By Rev. Dr. McLeod :*

33318. Do you as a professional man, coming into contact with the people, find that the feeling has been growing that the liquor trade is a matter for legislation?—I think the feeling is becoming more pronounced in that direction.

33319. Speaking about giving compensation to brewers and distillers or others who have invested money in the business : do you think they should all be compensated?

Have you considered that compensation might go further and include persons who are supported by the liquor trade?—I have not considered that matter, but a question might arise there.

33320. Do not distillers and brewers and licensed vendors and hotel-keepers carry on their respective businesses from year to year under authority given them by licenses, which expire at the end of each year, when their authority ends; and do not these persons take the same risk with other business men, and would you give them consideration which you do not give to other business men?—I presume that although the licenses do expire in that way, the individual expects that, so long as he conducts the business properly, the license will be continued.

33321. Still he is a legalized distiller or brewer only from year to year while he hold the license?—There is no question of that.

33322. By the tariff changes that take place frequently, certain branches of trade are affected and some are practically destroyed; is it the duty of the Government in such cases to make compensation?—No, I think not.

33323. Should this case be treated differently then?—Of course, the liquor traffic is also affected by those changes. There has been a steady increase in the duties on certain classes of liquors.

33324. Would you leave the matter of compensation to the people?—Yes.

*By Judge McDonald :*

33325. Do you think it is a safe course to leave questions that require great consideration to a popular vote, with the expense attending it?—As a rule those questions are not so readily studied by a large body as by a small number of persons, who can give better judgment.

33326. Speaking of granting compensation to those engaged in the traffic: Did you ever hear of any public movement to make such compensation?—I do not know of any.

33327. Is it not a question that will have to be dealt with at the present time and a thing that runs side by side with proposals for prohibition?—Yes.

*By Rev. Dr. McLeod :*

33328. It is contended that those who are connected with the liquor traffic should be compensated. Have you ever thought that the people who have suffered by the trade, and who are now suffering, should be compensated?—No.

33329. I suppose the claims would be like the Alabama case, there would be no limit?—Yes.

GORDON BELL, M.D., of Brandon, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

33330. What official position do you hold?—I am Medical Superintendent of the Manitoba Reformatory.

33331. How long have you resided in Manitoba?—Five years.

33332. Did you come here from one of the other provinces?—From Ontario.

33333. Which part?—From the County of Renfrew.

33334. How long have you been Superintendent of the Asylum?—Since June last.

33335. And Superintendent of the Reformatory?—Since the same date, 22nd June.

33336. We were told in Winnipeg that the Reformatory had no inmates?—There is one boy there.

33337. How many would the institution accommodate?—It is the same building as the asylum and there are 34 inmates in the asylum.

33338. Have you had any admissions in during the last few months?—Yes.

JOHN MCDIARMID.



33339. I noticed from the returns made, I think to the Government, at Winnipeg from May 1st, 1891, to June 1st, 1892, that the total number of patients under treatment in the asylum was 47?—Yes, and of those 24 were males and 23 females.

33340. And only one of those had been driven there by lunacy caused by drink?—Yes, only one.

33341. Is that a true statement of the facts?—There is another case of insanity, not caused by drink; but the patient will obtain liquor and become violent. He cannot be allowed at large on that account.

33342. Are you able to state whether as regards any of the other patients who are in the asylum, the use of alcoholic liquors has been at all the predisposing cause?—I think it is so in many cases.

33343. Can you tell the Commission in how many?—No; of course it is hard to get information on such points.

33344. So you really cannot furnish it?—No; although liquor may have been the cause in a great many.

33345. Can you always rely on the statements you receive?—No; we cannot.

33346. Do you not find always that drink is given as the cause?—No; I have never found that.

33347. Might not families be desirous of getting rid of the idea that there is insanity in the family and make drink the direct cause?—You would fancy it would be so, but I have not found it so.

33348. Have you had any experience in a prohibitory country?—I have had experience where the Scott Act was in force.

33349. Was it in force in Renfrew when you were there?—Yes.

33350. How did it work?—We found it very difficult to enforce, but certainly there was a great improvement in the morality of the community.

33351. Why, then, did the people repeal it?—There was some difficulty about getting a supply after the enforcement of the Act; the people did not seem to be really in sympathy with it after voting for it.

33352. You think that the people who voted for it left it take care of itself?—Yes.

33353. Do you think it was dissatisfaction caused by its working that led to its repeal?—The reason advanced by its opponents was, that it had a prejudicial effect on the trade of the town. Pembroke and the lumbering country and the lumber men instead of spending their earnings in Renfrew went into Ottawa County, where they could purchase liquor.

33354. There was difficulty in enforcing the Act?—Yes, owing to liquor being brought in from the Province of Quebec, just across the river.

33355. Was that liquor pure or adulterated?—I have heard of its being adulterated, but I have no facts in connection with it.

33356. Was there an impression that a great deal of liquor was used there?—Yes, I have heard so.

33357. Have you yourself considered the question of prohibition and its practicality?—I think it would be a good thing.

33358. Are you favourable to general prohibition?—Yes.

33359. In case a general prohibitory law were enacted, would you favour the granting of compensation to brewers and distillers for the loss of their plant?—I think not; they should take the same risk as men engaged in other industries.

33360. Have you thought of the matter in this light: that other industries may be affected by legislation indirectly, but this is exceptional, that it would be direct legislation, prohibiting those men from carrying on their business?—I never thought of that.

33361. Supposing a man engaged in any of the other trades that are affected by tariff legislation, and instead of the legislation being modified so as to adapt itself to the interests of the revenue, he was directly legislated against, and a direct law was passed that his business should be stopped, would he not have a right to say to the Dominion Parliament, "Pay me for my plant?" It is understood that brewers and distillers are required by law to have certain plant in connection with their business in order to fulfil the requirements of the law, and that certain machinery shall be used?—The trade has never been encouraged by law, but it has been tolerated.

33362. But you have never considered this question ?—No.

*By Rev. Dr. McLeod :*

33363. From your study of mental diseases, have you come to a definite opinion as to how far heredity is responsible for insanity ?—It is very largely due to that, of course.

33364. Have you been able to determine whether alcoholism is largely a predisposing cause ?—It is supposed to be by authorities ; of course, it is difficult to define.

33365. It would appear from such classification as it is possible to make in an insane asylum as to causes set forth in the classification of cases, that a large proportion are due directly to alcoholism ?—I think the proportion of such cases will always be more than the average.

33366. This Commission has already obtained the evidence of Dr. Steeves, Medical Superintendent of the New Brunswick Asylum, and of Dr. Reid, Superintendent of the Dartmouth Asylum near Halifax, who stated that if it were possible to trace the causes accurately, alcoholism would be responsible for a considerable proportion of the insane cases cared for in these institutions. Would that be the result of your investigations on this subject ?—My experience has been rather limited, but from my reading I have seen as high as thirty per cent of the cases assigned to that cause. From my own experience the percentage would be very much smaller, I should judge three per cent.

33367. Could you determine that ?—I could not determine that, but I think about that proportion of cases were caused by alcoholism.

33368. How long have you been a practising physician ?—I have been in practice since June last, and I was Acting Surgeon three months in the Manitoba Penitentiary.

33369. From your practice and your study, do you regard total abstinence as compatible with the best health ?—I do.

33370. Do you think habitual moderate drinking as harmful or useful ?—It may not be harmful, but it is useless.

33371. Other things being equal, do you think the total abstainer has any better expectation of life than a habitual drinker ?—I think so.

*By Judge McDonald :*

33372. What do you mean by a habitual drinker ?—If you drink a very small quantity of alcohol I do not think it will hurt you, but I think it is harmful when a man takes two or three drinks a day.

*By Rev. Dr. McLeod :*

33373. This term “drink habit” is a somewhat elastic one in men’s minds, and there is scarcely any man will admit that he is an excessive drinker. When I speak of the drink habit or of the habitual use, I mean the use of alcohol every day, more or less, but not to drunkenness—I refer to those who take an “eye opener” in the morning, and take liquor at dinner and as a “night cap.” Do you think in case of sickness a total abstainer has any better chance of recovering than the man of whom I have spoken ?—I think so, I am pretty certain of it.

33373a. You have expressed yourself as opposed to granting compensation to brewers and distillers, do you know of any business of the same character which, in your opinion, would seem to have less claim for compensation than the business that is carried on by distillers and brewers ?—No.

FRED. H. HESSON, of Brandon, Collector of Customs, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

33374. How long have you resided in Brandon?—Ten years.  
 33375. How long have you been Collector of Customs?—Nine years.  
 33376. I believe you resided in Ontario before you came here?—Yes.  
 33377. In which county?—I lived at Stratford, in the County of Perth.  
 33378. That town has never been under a prohibitory law, I believe?—No.  
 33379. Have you ever lived in a country under prohibitive enactment?—In 1882, this portion of Manitoba was then a portion of the North-west Territories, and Brandon was under a prohibitory law.  
 33380. Was the law enforced here?—No, it was not.  
 33381. Could liquor be obtained then?—Yes.  
 33382. After prohibition was enacted?—Yes, in spite of it.  
 33383. Do you know what was the character of the liquor, whether it was pure or adulterated, or were both kinds to be found here?—I really could not say; I think if there was good liquor here, it would be very expensive.  
 33384. During your residence in Brandon have you found it a well-conducted town with orderly people?—Yes, very orderly.  
 33385. And also sober?—Yes.  
 33386. As Collector of Customs, have you much liquor brought in from other places?—Yes; there is considerable liquor brought in from the old country and from Europe.  
 33387. Is it consigned here direct from Europe?—Yes.  
 33388. Have you the figures showing the importations?—I am unable to give any figures.  
 33389. Your books would show, I suppose?—It was difficult to get at them. If you had the figures for Winnipeg, they would include my figures here.  
 33390. Would the Blue Books at Ottawa show them?—Yes.  
 33391. Is this a sub-office of Winnipeg?—Yes.  
 33392. Do you consider that a general prohibitory law could be enforced?—I am afraid I have not given the subject very much consideration.  
 33393. Do you think a prohibitory law could be enforced?—From the experience we have had, it would seem that it could not be enforced.  
 33394. In case of the enactment of a general prohibitory law, do you think it would be right and just to compensate brewers and distillers for loss of plant?—I do.  
 33395. Have you noticed since the coming into force of the license law whether it seems to be fairly carried out?—I think it has been fairly carried out here; more so, in fact, than in a great many other places in which I have lived. The state of affairs is even better than in places where I have visited that had the Dunkin Act and other such Acts in force.

*By Rev. Dr. McLeod :*

33396. You have stated that when prohibition was in operation in this part of Manitoba it was ineffectual, from your own observation?—I do not think there was any particular effort made to enforce it at that time.  
 33397. How many years have elapsed since this portion of the country was a portion of the North-west Territories?—It was so in 1884.  
 33398. Then it became part of this province?—Yes. I think the people here were for two years without a licensed house.  
 33399. It was under the North-west prohibitory law?—Yes.  
 33400. Did you notice that the permit system had any effect here?—The permit system was not in use here at all; the people simply brought in liquor, and it was sold here.  
 33401. Was that during the construction days?—No; it was during 1882 and 1883, and it was done almost openly.

33402. Was there no supervision by the Mounted Police?—They were not here.

33403. So the trade went on almost without check?—Yes. I think the result was that there was more drinking than under the license system.

33404. Has there been an increase of importations of liquor to Brandon in greater ratio than the increase of population?—I am not able to say. The importations have increased, but that is only owing to some of the liquor dealers importing their liquor, instead of buying it here.

*By Judge McDonald :*

33405. Did you say that some liquor dealers here imported direct?—There is but one liquor dealer here who is a direct importer.

*By Rev. Dr. McLeod :*

33406. But you are not able to say whether there has been an increase in the quantity or not?—No.

A. M. PETERSON, of Brandon, Lawyer, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

33407. How long have you resided in Brandon?—Ten years.

33408. Did you come here from Ontario?—Yes, I previously lived in Belleville, in Hastings County.

33409. Do you hold any official position?—I am Crown Officer for the Western Judicial District.

33410. How long have you been practising law?—Ten years.

33411. How long have you been Crown Officer?—Between three and four years.

33412. Is there much crime in the district?—No.

33413. Referring to the crime that exists, judging from your experience, is any portion to be attributed to intemperance?—Yes.

33414. A large proportion?—Yes.

33415. What proportion?—I do not know that I could give the proportion, but I should say a considerable proportion.

33416. Have you made it a matter of study?—No.

33417. You could not make a definite estimate, I suppose?—No.

33418. Taking your experience, do you find that men charged with crime are apt to put forward drunkenness as an excuse to influence the Judge to give a light sentence?—I have never known a single case of that kind—not where I had reason to suppose that the party was putting that forward as an excuse.

33419. Then you have heard that statement put forward, but you believed that it was true?—Yes.

33420. Have you observed the working of the license law?—Yes, somewhat; I have conducted proceedings here.

33421. Do you mean prosecutions against licensees charged with breaking the law?—Yes.

33422. Were any of them prosecutions for selling on Sunday?—Yes.

33423. Also for selling liquor after hours on week days?—Yes.

33424. And for any other violations?—Some were charged with selling without license.

33425. Have you had any case of selling to minors, or anything of that kind?—Nothing of that kind has occurred under my observation.

33426. Have there been many charged with selling on Sunday and after hours?—Yes.

33427. And then there was the other class of people, selling without license?—Yes.

FRED H. HESSON.



33428. Have there been many cases of the latter kind?—There have not been many cases considering the area of the district, in fact, I think there have been very few violations taking place.

33429. Have you considered the question of the enactment of a general prohibitory law?—To some extent.

33430. Are you favourable to prohibition?—I am.

33431. Do you think a prohibitory law for the whole country could be enforced?—Yes; I do not see why it could not be enforced.

33432. You do not think there would be difficulty in enforcing such a law?—There are difficulties in enforcing any law.

33433. Do you find there is any difference in the view taken by the public of this law and other laws?—Yes, I think there is more difficulty in enforcing a liquor law than any law I know of.

33434. Is that due to the fact that public sentiment is not in favour of its enforcement?—Not exactly.

33435. Can you not get a greater body of public sentiment in favour of the enforcement of other laws?—I do not know.

33436. The difficulty is that men subpoenaed to give evidence of violation of liquor laws seem more inclined to shield themselves, and do not wish to appear in liquor cases. Have you not found it so?—Yes.

33437. Do you find that their memories are very defective?—Yes.

33438. In considering the question of effective enforcement of prohibition, have you taken into account the state of public opinion in all the provinces?—I have never lived in any other province in Canada except in Manitoba and Ontario. I do not wish to set one man above another, but I do not see why the law could not be enforced in that regard as in anything else. I believe, if the Police Magistrates and the Judges were favourable to prohibition and to the enforcement of a general prohibitory law, it would be as well enforced as any law against theft or any other crime.

33439. Do you think the weight of public sentiment in regard to that law would be the same as in regard to a law respecting theft?—Perhaps not just the same, but when there is such a preponderance of opinion in favour of such a law in these provinces, you do not want to wait for more or less, or you would never obtain such a law.

33440. But take the case of the provinces in which the preponderance of opinion is the other way?—I would hope to enforce such a law there.

33441. Then I understand you to say that if you could get public sentiment in favour of such a law, you would enforce it; and if not, you would hope to do so?—Yes.

33442. Have you reason to believe that the men in the liquor trade here sell impure and adulterated liquor?—I do not know.

33443. Have you considered the question of granting compensation to brewers and distillers for loss of plant in case of the enactment of a general prohibitory law?—I do not think they deserve any compensation.

33443a. But for loss of plant, if for nothing else?—No; they have seen fit to invest their money in a business which has made large returns, and if a prohibitory law was enforced against them, I consider they would have nothing of which to complain.

*By Rev. Dr. McLeod :*

33444. Speaking about the unwillingness of witnesses to testify and the extraordinary lapses of memory in cases of violation of the liquor laws, have you thought whether the unwillingness on the part of those witnesses arises from the fact that they have been in most cases parties to the crime?—It is possible.

33444a. Is it a fact that in most cases the witnesses in liquor prosecutions are necessarily persons who were parties to the violation or attempted violation of the law?—Yes.

33445. Do you think that fact would make them unwilling to testify?—Sometimes it would and sometimes it would not.

33446. In regard to the different state of opinion that is said to prevail in a community in regard to the enforcement of laws: does that arise because the laws against the liquor trade are comparatively new?—I do not think so.

33447. While the laws against other offences date from time immemorial?—I do not think there is any force in that idea, for the liquor laws have been in force a long time.

33448. Is there a strong public sentiment in favour of the enforcement of the liquor laws?—Yes, there is.

33449. Are any of the witnesses interested in the trade as patrons of the house?—Yes; in one way or another they are interested, and they are prejudiced in regard to the trade.

33450. Taking the recent plebiscite; do you understand from that vote that the people of Manitoba really desire prohibition?—I do not see what other view can be taken of it.

33451. We had evidence at Winnipeg that the people voted for fun?—I have never heard people speak of it in that way.

33452. Do you think it is an honest expression of the people's opinion?—I heard plenty of men who have expressed themselves favourable to prohibition declare they would vote against it at the plebiscite, and I may state that lots of men who voted against prohibition would have voted for it if they had believed that the time was ripe for the enactment and enforcement of such a law. I think the people gave consideration to the matter and voted as they thought best. I do not believe that those who voted for prohibition believed that it would be a bad measure, but I believe those who voted against prohibition believed that such a law would be a good thing, but that the time was not ripe to attempt its enforcement.

33453. So the vote in favour of prohibition is not the expression of all the people favourable to it?—I am not prepared to say that the people of Manitoba are fools, and I believe they expressed their honest sentiments.

WILLIAM A. MACDONALD, M.P.P., of Brandon, Barrister, on being duly sworn, deposed as follows:—

*By Judge McDonald:*

33454. How long have you resided in Manitoba?—Over ten years.

33455. Have you resided all that time in Brandon?—Yes, with the exception of a few months in Winnipeg.

33456. Did you come here from one of the other provinces?—I came here from Ontario, from Lincoln County.

33457. Do you hold any official position here?—I have the honour to be the local Member.

33458. How long have you held that position?—Since the last general election, on 23rd July last.

33459. How do you find this community compare with others in which you have lived: do you find it to be an orderly and law-abiding one?—Yes, very orderly.

33460. Do you find it compares favourably with other communities in Ontario?—Yes, beyond question; and we pride ourselves on that fact.

33461. So far as you have observed, do the people engaged in the liquor traffic and who hold licenses appear to live up to the law?—They live up to it as well as the licensees in other places.

33462. A witness here to-day, I think the Police Magistrate, told the Commission that he did not believe there was a desire on the part of men engaged in the traffic to break the law, but that guests and friends come in at all hours wanting drinks, at hours not within the terms of their licenses?—From my observation that statement is no doubt correct: people come in at wrong hours and expect drink as part of their rights.

33463. Judging from your experiences of the working of the license law, are there any amendments you could suggest?—We find the law has been amended from time to time; but is there any amendment that in your view would make it more effective.

A. M. PETERSON.

Suggestions have been made to the Commission in favour of high license and limitation of the number of licenses issued. What is your opinion on those points?—I consider that we have high license here.

33464. We have been told that there are eight licenses issued here: is that number sufficient?—Yes.

33465. Do you consider that to be a reasonable number?—Yes.

33466. Do you know what the license fee is?—I would not like to state with certainty, but it runs up close to \$500.

33467. Have you considered the advisability of treating the persistent drunkard by shutting him up in some asylum instead of sending him to jail for short terms every now and then?—That is a matter which I have not considered, and I should not like to give an opinion on it off-hand.

33468. Have you considered the question of prohibition?—Yes.

33469. Have you ever had any experience under prohibition?—I have had some experience under the old Dunkin Act in the township of Pelham.

33470. How did it work?—It did not work satisfactorily. We are part of the newly added territory of Manitoba, and there was no license law in force when I came here first.

33471. Was there a great deal of sale of liquor?—There was a great deal of sale and a great deal of drunkenness.

33472. Have you considered at all the granting of compensation to brewers and distillers in the event of the enactment of a general prohibitory law, in which case their business would be shut up by Act of Parliament?—It is a matter to which I have given very little attention, but my opinion is that compensation should be given them.

*By Rev. Dr. McLeod:*

33473. I think you said that the license law was observed here as well as it was observed in other communities. Have you observed how the license law is observed generally?—My experience in the place from which I came was, that it was fairly well observed there. It is only by remembrance that I say it may be better observed in other towns in Ontario. I think, however, that here as well as there the law is fairly well observed. Of course, there have been cases of infraction of the law and in some cases prosecutions; some succeeded and some did not.

33474. Do you believe that the licensees very generally disregarded the provisions of the law which prohibited sale after certain hours, and on the Sabbath?—I believe they did not, but tried to live up to the law. I may say that there is not, generally, drinking going on on Sunday.

33475. You have stated that you have observed the working of the Dunkin Act in Ontario?—Yes, in the township of Pelham in Welland, which town is in Lincoln County.

33476. You said that it did not work satisfactorily?—Yes, that is years ago.

33477. Is the Act still in operation?—I fancy it is.

33478. If it did not work, why was the Act retained in force?—I have stated what came within my knowledge.

33479. You spoke of the early years of its operation, I believe?—Yes.

33480. Have you given consideration to the question of prohibition and to the general election which took place here—Judge McDonald omitted to ask whether you are in favour of prohibition?—I favour it, if backed up by the sentiment of the people.

33481. Do you regard the sentiment of the people, as expressed by the recent plebiscite, as a good backing?—It would be an indication of the feeling if the people voted the way they felt. I voted the way I felt.

33482. You thought the people meant to vote for you?—Yes.

33483. And meant to vote for prohibition at the recent election?—We had a hot contest in the city, and no doubt politics drove the question of temperance a little out of the public mind, though for all that, I believe there was a fair expression of public opinion. But the people did not give the same thought to it as they would have done had the question been brought up separately.

33484. In the contest here, was it not a burning question?—Yes.

33485. You have stated that you think brewers and distillers should receive compensation : please state why?—They are carrying on now what is a legitimate trade, and if general prohibition came into force they would be deprived of their business and their plant would be practically worthless. That would be a little hard, for it would be depriving them of their business by law.

33486. Do you consider that trade to be legitimate in the same sense as a general merchant's business, such as groceries and dry goods, is legitimate?—Except so far as sentiment goes ; these men are engaged in a business which people consider is not a business to be encouraged.

33487. So the sale of liquor in a community is a legitimate business?—Of course some might differ on this point, but it is a fact that brewers and distillers and licensed vendors are conducting a trade which is legalized simply because they pay the authorities a license from year to year.

*By Judge McDonald :*

33488. Remember that the law requires brewers and distillers to put in certain machinery in order to meet the requirements of the Revenue Department, and that in the event of the enactment of a prohibitory law, it would not be an indirect order but a distinct order by law to shut up the business?—Quite so.

*By Rev. Dr. McLeod :*

33488a. Remember this also. The law requires a manufacturer to put in certain machinery, if he is determined to enter the business and is willing to pay a certain price for the privilege of carrying on that business for a certain time. The law does not say a man must do so and so, but when a man is determined and has made up his mind to enter the business, the law provides that he cannot do so unless he fulfils certain conditions?—Yes.

*By Judge McDonald :*

33489. But since the manufacturer has entered the business, the law has added a number of conditions?—Exactly so.

*By Rev. Dr. McLeod :*

33490. Still let it be remembered that the law simply gives him the privilege from year to year to carry on his business, and if at the end of the year he does not comply with the conditions, his business is no longer a legal one. Is there no difference between that business and another one that does not require compliance with such requirements and conditions?—You say that these licenses are voluntarily taken out and must be renewed every year?

33491. I think so?—I cannot alter my opinion, which I have entertained for some time, that brewers and distillers should be compensated in some measure for loss incurred, if the community should place a general prohibitory law in force.

33492. Do you believe that the result of the drink traffic is to establish evils, harmful things to the community, and that it is injurious to the people at large to any degree?—I believe that the drinking of alcoholic liquors is harmful in some cases.

33493. Not in all, but in some cases?—Yes. The same rule is observed in regard to other articles which are intended for public use.

33494. If the brewers and distillers and the liquor business generally have produced certain evils and have brought injurious practices on the people, and if that business was closed, would it be, do you think, the right of the people to demand compensation from those men who have made large profits, rather than that the people should be called upon to compensate men in the trade who have made fortunes?—I am charitable enough to believe that some compensation should be given.

33495. Have there not been changes in the tariff law which have had serious effect on business?—The tariff in Canada—especially that connected with the manufacture of

WILLIAM A. MACDONALD.



liquor—has been one that has been studied from year to year, and it has been the expectation of the people and of the members of Parliament that changes would take place.

33496. Is it a fact that public opinion concerning the drink traffic has been changing from year to year and changing in one direction, which all men in the business have known, and in regard to which they should have prepared for the change that seemed to be coming?—I suppose they have that dread on their minds, but so far their trade has remained legalized and legitimate, and the law allows them to continue.

33497. Then you consider that they should be granted compensation?—I did not say in what measure.

33498. But somewhat?—Yes.

33499. If you would compensate brewers and distillers for loss of plant, should not the State also compensate licensed vendors for loss involved from rendering useless their property?—That is a matter of detail into which I would not care to enter.

REV. ALEXANDER URQUHART, of Brandon, on being duly sworn, deposed as follows:—

*By Judge McDonald:*

33500. To what Church do you belong?—To the Presbyterian Church of Canada.

33501. How long have you resided in Manitoba?—I have been in Manitoba and the North-west Territories about nine years.

33502. How long have you been in Brandon?—About three and a half years.

33503. From which of the provinces did you come?—I came from Ontario, from Oxford County.

33504. How long is it since you left?—Sixteen or seventeen years.

33505. The county at that time was under the old-fashioned license law of Ontario, I believe?—I think it was.

33506. In regard to the social customs of the people in this section of the country, have you found since you came here an improvement among the people as a community; have they gradually settled down?—I think I can say so.

33507. Judging from your observation, do you think alcoholic beverages are less used socially than formerly?—I cannot speak of course from a very extensive knowledge of the Province of Manitoba, but I think the general use of liquor has diminished as compared with the early days, when everything was in a more unsettled condition than now.

33508. Do you find that religious influences, temperance societies, and educational influences are all operating in that line?—I think so.

33509. And have they produced a beneficial result?—I think so.

33510. Have you observed the working of the license law in this province?—I have in a general way, from coming into contact with the people.

33511. Have you found that the license law now in force is well observed, or are there many breaches of its provisions?—I am not in a position to say what breaches of the law may be committed from time to time. I have very little means of knowing whether the provisions of the law are lived up to in that particular, because men, I presume, can drink all the liquor they wish. I am unable to answer the question.

33512. Have you in your duties as a minister of the gospel found evil results following the use of intoxicating beverages?—I have.

33513. In families I suppose: in what way?—In families and individuals, in the morals of the people and every way.

33514. To any great extent?—Yes, to a considerable extent, using that term in a general way.

33515. Have you ever considered the question of the persistent drunkard?—I have.

33516. I now refer to the man who is constantly before the police court, and who is sent to jail for a short time, and who is out again and in again and so on. Would it be

better to shut up such a man in an inebriate asylum or institution of that kind, or allow the present system to continue? Shutting up bar-rooms would be the most effective thing.

33517. That is to say you would do away with the bar-rooms as a whole. At the present time I am dealing with the system as we have it?—I have not given that matter any consideration.

33518. Then your remedy would be to shut up the liquor from him?—Certainly.

33519. So long as he can get the liquor when he is out of jail, would it not be better to shut him away from it?—If there was no way of reforming him, that process of reformation would be desirable.

33520. But I understand that your remedy would be to shut up bar-rooms altogether?—Yes.

33521. Then you favour prohibition?—Yes.

33522. Do you favour it as a principle?—Yes, and for its effects.

33523. Do you think it a practicable measure?—Yes.

33524. Do you think it might be practically enforced?—As effectually as other laws.

33525. Would you favour the enactment of such a law for the province or for the Dominion?—For the Dominion, if we could secure it; if not, for the province.

33526. If for the province, do you think it could be thoroughly enforced?—Yes, so far as any law can be carried out.

33527. Would you hope to enforce it for the Dominion?—I see no reason why it could not be enforced.

33528. Take this case. Supposing a prohibitory law were submitted for the whole Dominion. The Maritime Provinces voted strongly in favour of it, Quebec strongly against it, Ontario, perhaps, slightly favouring it, this Province of Manitoba strongly in favour of it, British Columbia strongly against it. Would you hope over the whole Dominion to enforce such a law?—I would expect it, just as I would expect the enforcement of any law enacted by the Dominion authorities.

33529. The question is whether you could hope to enforce it effectually or not? Not, perhaps, at the outset, but eventually.

33530. Have you considered the question of granting compensation to brewers and distillers for loss of plant in the event of the enactment of a general prohibitory law?—I have given the matter some thought.

33531. What is your opinion?—That they are not entitled to compensation.

33532. Therefore, you are unfavourable to its being granted?—Yes.

33532*a*. Has the synod of the Presbyterian Church in this province taken any special action in regard to this question?—Yes. I hand in the Report of the Synod [Appendix 4.]

33533. I believe you have lived in the North-west Territories?—Between four and five years.

33534. Have you resided in Regina?—Yes.

33535. How did the prohibitory law work there?—It was much preferable to the license system.

33536. Was there any sale of liquor under it?—Not to my knowledge.

33537. Was there any use of liquor? Did you ever see any drunkenness?—Very little.

33538. I suppose you were not in a position to personally see whether much liquor was consumed or not?—No.

33539. I understand the Synod made a deliverance protesting against the way in which the permits were issued, and also, I think, advocating that the law should be changed?—Yes.

33540. Since then has there been any legislation on the part of the Territories?—There has.

33541. What has been the effect?—The license system is in operation there now.

33542. Then the Legislature, elected by the people of the Territories, appears to have differed from the sentiment expressed by your Synod?—It seems to have done so.

REV. ALEXANDER URQUHART.

33543. Have you learned whether the increase of permits was attributable to the fact that, owing to the poor quality of liquor being smuggled into the Territories, it was thought advisable to extend the system of permits, in order to allow a better class of liquor to be brought in?—No, I have never understood that the action was taken on those grounds. I think the action was taken on the part of those who wanted to carry on the traffic and those who desired to have the traffic. They urged that those changes should be brought about.

33544. Did those permits enable people to enter into the traffic or get liquor simply for private use?—The liquor was to be simply for private use. Latterly, however, permits were granted which practically amounted to a license. That was during the last year of my residence in the Territories, when beer containing 4 parts of alcohol was admitted. I am not prepared to say what other liquors were brought in.

33545. Was it supposed that liquor was brought in containing more than five per cent of alcohol?—From the results I should judge that some of the liquor contained more than five per cent.

33546. Was there an increase in drunkenness?—Yes, evidently.

33547. Was it supposed that persons allowed by law to bring in liquor for private use, brought in liquor for purpose of sale?—It was supposed to be done in certain cases.

33548. Was it found that the sale of liquor increased after permits were allowed?—That was clear. During four years of my residence, under Governor Royal, I seldom saw a drunken man; afterwards that occurrence became quite common. I visited the Territories a year later, and I may say that I was pained to see the change.

33549. Have you been there since the license law was in force?—No; I presume the condition is no better.

33550. But you have no personal knowledge of it?—I have no personal knowledge.

*By Rev. Dr. McLeod:*

33551. You are unable to say what has been the effect of the change to a license system, I suppose?—Yes; of the license to permit and the modified license system, I can speak.

33552. Speaking of the years under the permit system and the sale under that system, I believe permits were granted in quantities of one hundred gallons for the purposes of sale, in 1889?—I think not. I have not so understood the permit system; I think five gallons was the quantity that could be brought in.

33553. I notice from the returns, that in 1883, permits were granted for 6,756½ gallons; in 1890, 153,670 gallons; the population increased about 2½ per cent, while the liquor consumption increased about 250 per cent. Did you observe under this lax administration whether there was an increase in drunkenness and the effects resulting from it?—I think the figures you have given for 1889 were under the modified law, which allowed all liquors under five per cent to come in, and of course the percentage of liquor rolled up.

33554. In 1889, the permits were for 151,969 gallons?—Under that law they were allowed to sell liquor in any hotel.

33555. The purpose was said to be to prevent so much spirits being distributed, and it was argued that if more of this four or five per cent beer was introduced, there would be less spirits consumed; but is it not a fact that in 1889, when the permits covered 151,969 gallons, there were no less than 11,460 gallons of spirits included in those permits, which would nearly double the quantity?—It follows that if an appetite is whetted it will desire a greater quantity.

33556. My impression is that in 1889, the Governor issued permits to bring in 100 gallons for sale?—I do not know.

33557. Have you had an opportunity of comparing the condition of a community under license with the condition of a community under enforced prohibition?—Not beyond the experience of the North-west Territories in a modified form.

33558. And your experience was that prohibition was beneficial?—I decidedly say so.

33559. From your experience in your pastoral duties, do you believe that to any considerable extent the drink trade and the drink habit are the causes of crime,

immorality, poverty, domestic troubles, neglect of children and neglect of religion?—I do believe it so affects certain individuals.

33560. For these troubles do you think the drink traffic and habit are to a large extent responsible?—Yes, in my judgment.

RICHMOND SPENCER, M.D., of Brandon, on being duly sworn, deposed as follows:—

*By Judge McDonald:*

33561. How long have you resided in Manitoba?—I have resided here nearly eleven years.

33562. Have you resided in Brandon during all that time?—Yes.

33563. Did you come here from one of the other provinces?—I came here from Montreal.

33564. Have you had any experience in regard to the carrying out of a prohibitory law in any section of the country?—No; except in places where I have happened to go. I have been in the New England States and have noticed its effects there.

33565. Was there a prohibitory law in operation when you came here?—It was the permit system that was in vogue.

33566. Was the liquor traffic prohibited here?—Yes; the railroad was opened at that time, and you could not get liquor except by permit.

33567. I suppose a man consumed more liquor at that time than now?—I do not know.

33568. Do you know anything about the quality of the liquor brought in at that time, whether it was pure or not?—The whisky was pretty good; the brandy and wine were nothing but poor whisky coloured.

33569. Have you observed the operation of the license law in this section since it was in force, and, in your opinion, is it fairly well observed?—I think so.

33570. Then you have not had reason to believe, as a citizen, it is continually broken?—No; I think the law is pretty well observed.

33571. Would you favour having liquors that are offered for sale frequently inspected, in order to ascertain that they are pure, and thus afford protection to the consumer?—Yes.

33572. Have you considered the treatment of the persistent drunkard, the man who is brought before the police court and sent to jail, and reappears regularly? Are you of the opinion that it is better to continue that system or to adopt some other system looking to the reformation of the man and his removal for a time from temptation?—I have not considered that question much, but I should be in favour of having some means adopted whereby that man would not be an expense to the country. It would be well to banish him in some way, and perhaps the man would not be hurt if he had a good flogging, for it might do him good.

33573. It has been suggested that the proper course to take in the case of such a man is to keep liquor entirely away from him; and if it is desirable to keep it away from him and see that he does not obtain it, at the same time it would be well to keep it away from the whole of the community. On the other hand it has been suggested that instead of depriving the community of that which the large proportion of them use in moderation without any ill effect, it would be well to shut the habitual drunkard away from the liquor. Have you studied that question at all?—I have not.

33574. The question is whether the remedy is prohibition of the drink or prohibition of the individual who abuses the article?—I am not in favour of prohibition. I am also not in favour of the Provincial liquor license law.

33575. What system do you favour?—I would favour a system of this kind. I believe that man is a social being and he requires something. I believe in what is

REV. ALEXANDER URQUHART.



called the German system, that is to give the common people a cheap drink, such as lager beer, or any other good drink, and I would give the better classes good wine if they were willing to pay for it. You would do more for the cause of temperance by adopting such a measure than in any other way. If there were men who wanted brandy or some liquor stronger than those commonly used, the proper way would be to place a large license fee on its sale; let them pay 50 cents per glass for it, but at the same time let it be good. If the price were 40 or 50 cents a glass there would be less drinking, they would not pay \$2 or \$3 for a few glasses of brandy.

33576. In other words, you would force the adoption of such a system as would encourage the use of light wines, ale and lager, in preference to the heavier liquors?—Yes.

33577. You have said that you are favourable to prohibition as a matter of principle. Do you consider it practicable?—I do not.

33578. Do you think it could be enforced?—I do not, I am sure of it. Men will have drink if they wish it.

33579. In case of the enactment of such a prohibitory law, would you favour the granting of compensation to brewers and distillers for the plant that would be rendered useless?—If men invest large sums of money in an industry of that kind which is legitimate, and for carrying on which they are paying a license to the Government, and especially since they have carried on the business for a couple of years, and they are shut out from carrying on the business, it being made illegal by the enactment of a general prohibitory law, I think they should be compensated, because there is no other class that I know of that would be shut off so quickly and effectually.

*By Rev. Dr. McLeod:*

33580. Why did men drink more under the permit system than they do now under license?—I think the reason is they could not get more than one or two gallons at a time. If they got it they felt that it cost them nothing, and they gathered their friends together and they drank it.

33581. They did not cease, I suppose, until it was all gone?—No.

33582. That is the way the Indians do when they get their rations—eat to repletion and then go hungry for a month?—Yes.

33583. Is there something in the western atmosphere which makes the white man do as the Indian does?—They say there is a great deal of ozone in the air.

33584. Do you think there is less drinking under the license system than under the permit system?—I could not tell you that.

33585. Having regard to the difference in population, is there a better condition of affairs now under license?—Yes. I remember reading some extracts from the official report of Col. Herchmer, who says that the condition of things under license is greatly worse than under the permit system, and that the change has been for the worse since the license system went into operation. I think that if the license system was properly looked after it would not be so bad.

33586. Would not Col. Herchmer and his subordinates have evidence so as to enable them to arrive at a correct conclusion?—They are in a sparsely settled district, and I do not think their observations would amount to so much as if the country was more thickly settled.

33587. I presume that Col. Herchmer possesses not only his own personal experience but that of his officers, as they act under his direction?—You must remember that up in the Territories the inhabitants are largely young men. The members of the Mounted Police and the men on the ranches are chiefly young men, and they do more drinking than if they had homes and families. I do not think Col. Herchmer's observations would be worth as much up there as down here.

33588. The point he mentioned was that there is more drinking under license than under the permit system, and I want to know whether you think he is correct in that opinion or not?—My impression is that he made a statement about this very town. So far as Brandon is concerned, it has always been very temperate; there has been very little drunkenness here, and I have often remarked it. It is a very unusual thing to see a drunken man on the streets, except probably this year when there are a great

many public works going on here and a large number of men have come from the other provinces and elsewhere. Those are the drinking men rather than our own people.

33589. You have said that you do not favour prohibition. Do you think it is wrong in principle?—I do.

33590. I think you have said that you would prohibit certain men from getting drink, and you would put a prohibitory price on certain drinks?—Yes; that would not be prohibition.

33591. Would it not be prohibition in principle?—No, not if the people could pay for the drinks.

33592. If they cannot pay, are they not prohibited from obtaining them?—They can take a five cent glass of lager.

33593. You would prohibit men from getting other kinds of liquors and make them drink lager, whether they wanted it or not?—I would not prohibit the other kinds, but I would let them have lager and wine at nominal figures. I would not put any heavy duties on them.

33594. On whisky, gin and the like, and brandy, you would put heavy duties?—Yes.

33595. Is that not really prohibiting a thing that is bad?—It is bad only in the way you take it. It is not the thing itself that is bad, but the abuse of it.

33596. Why not prohibit the man? The article, you say, is not bad; but the trouble is owing to man's appetite: why not then prohibit him? I think it is proper if a man has an improper appetite for drink, that there should be something done with him.

33597. But nothing should be done with the system that creates and assists in creating the appetite?—Yes.

33598. What should be done with it?—If the Government wish to send men to such an institution as Keeley's Institution they might try it, perhaps.

33599. Do you think it is a good thing to keep established a system that produces men who have to go Keeley's Institution?—I do not believe in prohibition, and I do believe in men getting drinks if they like. I do not believe in prohibiting a man and then having him sneak in by back doors. We would next have our children sneaking in by back doors and practically stealing it.

33600. That is your view of the subject?—Yes.

33601. You would undertake to compel a man, if he wanted liquor, to get it under difficulties, if facilities were provided to get it in an open fashion?—I would do something to prevent the man who thinks he must have it from getting it; but the man who desires it for social purposes, I would not prohibit.

33602. Then the man to whom you refer has to have it because of his appetite, I suppose?—Yes. It is generally inherited. Many a man takes liquor all his life, and it does not harm him.

33603. You know that the drunkard is an expensive man compared with the ordinary drinker?—There are no drunkards to compare with ordinary drinkers.

33604. Then you think only a few are harmed by drink?—I think so.

33605. I think you said you would flog excessive drinkers?—Yes; I would do something to punish such men. I do not believe in putting them in jail.

33606. Supposing the man inherited the appetite, would you flog him?—I would send him to some institution where he could be cared for, at the public expense if necessary.

33607. Would it not be better to provide facilities for indulging such a man's appetite?—Probably he would get out of the world all the sooner.

33608. Do you think it would be a good course to adopt?—You have suggested your answer, and perhaps that is the one you wanted.

33609. If you punished severely the drunkard, what would you do with the manufacturer of the drink: would you flog him too?—No; that would be equivalent to punishing the Government.

33610. Who is back of the Government?—The people.

33611. Would you flog the people or the man who makes the liquor, the man who has a Government license to do so. Is the country right in licensing him?—I believe so.

RICHMOND SPENCER.

33612. So no man is wrong except the man who drinks to excess?—That is what I believe.

33613. He is the only man who should be flogged?—Yes, and he should be treated and cared for in some way.

33614. In inebriate asylums perhaps?—Yes.

33615. If there were inebriate asylums established, how would you support them—at the public expense?—I suppose so.

33616. They would be State institutions?—Yes.

33617. Is it a good business for the country to enter upon the business of establishing a traffic which produces persons who have subsequently to be provided for at the State's expense?—I could not answer that question.

33618. Do you think it would be right to have free sale of liquor, or do you think the licenses should be limited?—I would limit the trade.

33619. In Brandon, why do you prohibit thousands of other people from selling liquor beyond those licensed?—I cannot tell you why.

33620. Do you think it is right to do so?—I consider that the reason free sale is prohibited is because it would not be a paying business for those in it.

33621. Do you think it right, if they are disposed to take the risk, to prevent them going into the business?—No, I do not think it is.

33622. You think the license law is wrong, because it gives a monopoly here to eight men?—I do not think the license law is wrong. I think those who have charge of the license law are considering what is best for the people and for the licensees.

33623. And not what is best for the community, but simply what is best for the men licensed?—I fancy that is it.

33624. Do you believe the license law is in the interest of the community?—I do.

33625. Then you believe the prohibition of all men in this town, except eight men, from selling liquor is in the interest of the community?—I did not say that.

33626. You say it is in the interest of the community to license eight men. Is it in the interest of the community to prohibit all others getting licenses?—I have told you that I do not see any reason why they should not all have licenses, if the business would pay.

33627. Then it is a matter of pecuniary consideration?—I am not sufficiently posted on the financial side of the question to be able to answer that. It is a question of money I think.

33628. Is it not a question of right? Assume that we were all living in Brandon; two of us get licenses, and the rest of us, the town declared, should not have licenses. Would that be right? Should we not have the right to engage in the business, if we chose to do so, and take our own risk of making profit or loss?—Yes, if you could get the license.

33629. But the city says you shall not have license. Now, what right has the city to say that?—I could not pretend to answer that question.

33630. You are a practicing physician?—Yes.

33631. Do you believe total abstinence is injurious or beneficial to man?—I believe the man who does not drink at all is the best man.

*By Judge McDonald :*

33632. Taking the question asked by Rev. Dr. McLeod as to the licensing of the traffic, which makes men become drunkards: is it the drink or their own act that makes them become drunkards?—It is their own act.

33633. I understand your view of prohibition to be this: that even if there were no legalized traffic, people would still get liquor to drink?—Yes, they would get it.

33634. And if persons choose to become drunkards, they will become so whether there is a drink traffic or not?—I think persons have got liquor ever since Lot got drunk.

*By Rev. Dr. McLeod :*

33635. Do you think it well to follow his example?—No person detests drunkenness more than I do.

REV. S. DANIELS, of Brandon, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

33636. To what denomination do you belong ?—I am a Minister of the Methodist Church of Canada.

33637. We have the deliverance of your Church already given us in Montreal, as adopted by the General Conference in 1890. As a minister of that church, do you concur in the deliverance of the General Conference ?—I do.

33638. Are you favourable to the total prohibition of the liquor traffic ?—I am.

33639. You consider it advisable that we should have prohibition ?—I do.

33640. Would you have it of a provincial or national character, for the province in which you reside or for the Dominion at large ?—I should like to see a Dominion Act ; if that was not practicable, I should like to see a Provincial Act.

33641. Have you considered the practicability of the enforcement of such a law ?—I have given it some thought.

33642. With what result ?—I do not see why we could not enforce such an enactment.

33643. Do you believe anything would depend on local circumstances and the public sentiment of the locality ?—Yes, to some extent.

33644. Judging from what you know of the province, what do you believe the sentiment would be ?—I believe the preponderance of public sentiment to be most decidedly in favour of such a law.

33645. Have you considered the question of granting compensation to brewers and distillers for loss of plant, in case of the enactment of a general prohibitory law ?—I have given it some thought.

33646. With what result ?—I cannot at all agree with the principle of compensation as being just, or do I think it should be given.

33647. Have you ever lived in a prohibitory country or State ?—I lived three years in Regina under the permit system.

33648. During what years ?—During 1885, 1887, and 1889.

33649. Was that before the changes were made that the former witness, Rev. Mr. Urquhart, spoke of in regard to the extension of the permit system, or was it after that extension was made ?—It was before the extension to the five per cent beer, and also a few months subsequently.

33650. How did prohibition work in the North-west Territories ?—I found it work very well.

33651. Was there any sale for beverage purposes ?—There may have been some, but it did not come under my personal knowledge.

33652. You never saw the effects of it ?—No.

33653. You believe, then, that the sale was small ?—Yes, so far as my observation was concerned.

33654. Do you think that there was any trouble in regard to smuggling liquors into the North-west Territories from outside ?—I think occasionally there were cases, one or two, during three years.

33655. Do you mean of seizures made ?—Yes, I think I remember two cases.

33656. I understood that the Mounted Police were there to prevent liquor entering the Territories ?—Yes.

33657. That it was their duty to endeavour to enforce the prohibitory law ?—Yes.

33658. Was the force, as a whole, very vigilant ?—I think so.

33659. Have you had any experience of the Territories since the change in the law ?—Not since the license law came into force.

33660. Have you observed the working of the license law in Brandon ?—I have not been long in Brandon, only since July. Before that I was at Portage la Prairie.

33661. Was the license law in force at Portage la Prairie ?—Yes.

33662. How was it observed ?—It was not very well observed during my time.

33663. What was the difficulty ?—There were breaches of the law.

33664. Was there sale during prohibited hours ?—Yes ; they had a number of convictions for breaches of the Act during my time.

33665. Was there much illicit sale of liquor there ?—I am not prepared to say.

REV. S. DANIELS.



L. F. HUGHILL, of Brandon, Journalist, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

33666. What is your occupation ?—I am on the editorial staff of the *Mail*.

33667. How long have you resided in Brandon ?—Only a few months this time.

33668. How long have you lived in Manitoba ?—I came to Manitoba in 1872, twenty years ago, and with the exception of once or twice going home to England, I have been almost constantly in Manitoba and the Territories since that year.

33669. In what parts of Manitoba ?—When I first came to Manitoba I lived at Calgary. Then I was on the Commission appointed to establish the boundary between the United States and British Possessions. Then I was out in the North-west during the time of the North-west Police. I was there prior to the arrival of the regular force, and after they came out I remained until 1882. Then I went to England, came out again, remained in Winnipeg some time, and since then I have been in Manitoba all the time, although I was occasionally out of it for short periods.

33670. In what parts of the North-west Territories have you lived ?—In Calgary and Fort Macleod principally.

33671. When you were living in the North-west was there a prohibitory enactment in force ?—It was in force.

33672. How was the law enforced ?—It was not enforced at all,—not to any great extent, at all events.

33673. Were intoxicating beverages obtainable ?—Yes, in large quantities.

33674. Of what quality ?—Of a very inferior quality.

33675. Was there much liquor consumed : was it consumed to excess ?—Consumption to excess occurred in this way : Whenever what was called a cargo arrived, it was the occasion for a drunk. Then the permits were drawn out so that they covered any liquor for a sufficient length of time until some one else had smuggled in a cargo.

33676. So while there were intervals of abstinence, liquor was used to excess when cargoes arrived ?—When it did come it was used to excess, decidedly.

33677. Was it all brought in by smugglers from across the boundary line ?—Nearly all of it.

33678. That was before railway construction ?—It was long preceding the railway. It was almost previous to the permit system ; I am speaking now of 1877.

33679. What was the condition of things after the permit system came in ?—It was very much the same. If a man had a permit for five gallons of whisky all his friends called on him, and there was what was called in that country a general jamboree until the liquor was finished. The permit system was no better than the old system, with the exception of this, that the Government derived a revenue from it.

33680. Do you know whether the liquor that was to be had under the permit system was inferior in quality to that brought in by smugglers ?—It was of a better quality than what was smuggled, but it was not of really good quality until later years. Originally it was brought from Fort Benton, Montana.

33681. Have you been in the North-west Territories since the license system came into force ?—Not since the license system came into force.

33682. Were you there at all while the increased permit system was in operation ?—Yes.

33683. Was more liquor brought in ?—Yes.

33684. Are you able to say whether the bringing in of that liquor under the increased permit system led to a diminution in smuggling ? I think it did.

33684a. Was the liquor of better quality ? Decidedly after the railway was built.

33685. Did you notice whether there was more drunkenness afterwards than there had been before ?—No, I do not think there was any more.

33686. Did you see anything of the working of the five per cent system. I refer to beer containing five per cent of alcohol ?—Yes ; that was what the law allowed us to have. I do not think if the beer had been tested it would have been found to contain more than five per cent of alcohol, although something of a medicinal nature was put into it.

33687. From what you have seen of the working of a license law in Manitoba, and from what you have seen of the working of prohibition in the North-west Territories, which in your opinion is preferable?—As prohibition was carried on in the Territories a license law is preferable, because the prohibitory law was not enforced in the slightest degree. Of course an occasional seizure was made, but for one seizure made there were ten men selling illegally.

33688. From what you have seen of prohibition and from what you have studied, do you think it is practicable to enforce a general prohibitory law in any country?—I think that is very hard to say. It would be a good thing if it could be enforced, but I do not believe in prohibition unless strictly enforced. If it were strictly enforced, I would thoroughly believe in it.

33689. You are doubtless aware that this Commission is charged with the duty of considering the question from the standpoint of the whole of the country, and that this investigation has respect to the Dominion from ocean to ocean. Taking the Maritime Provinces, with their large sea coast, and Quebec, with the St. Lawrence running up into it, and the country west with its proximity to the United States, and British Columbia, facing on the Pacific Ocean, and all the surroundings, how do you think it would be possible to enforce prohibition in Canada?—I would favour it, if it were practicable.

33690. Do you think it would be practicable?—I am really afraid it would not be, with such surroundings. I do not think it would be practicable at all. No doubt a prohibitory law might be enforced somewhat, but liquor would always be brought into the country, as was the case in the Territories.

33691. Do you know whether there was illicit distilling to any great extent?—No.

33692. In the case of the enactment of a general prohibitory law, prohibiting the manufacture, importation and sale of intoxicating liquors for beverage purposes, do you think the distillers and brewers should be remunerated for loss of plant?—Yes, I think so; I think it would only be just.

33693. I understand that you have lived in the old country as well as here?—Yes.

33694. From your observation and study, what is the effect upon a community of having a law upon the statute-book, such as a prohibitory law, that is flagrantly and constantly violated?—I think the tendency is for evil.

33695. You do not consider it an evil?—I would not consider it of any good to the country, because it would be settling an exceptionally bad example to the people.

33696. Has the result of your observation and experience been that this question differs from all other questions that occupy the attention of legislative bodies regarding the effect which public sentiment has on it?—Yes, decidedly so.

33697. From your experience, are there any suggestions you could offer to the Commission regarding amendments to the law respecting the traffic as at present conducted under the license law, either in the direction of high license or the limitation of the number of places where liquor is sold, or in regard to a rigid inspection of the liquor or anything of that kind?—I would not like to make any suggestions without giving more consideration to the subject: but I think in all cases a high license should be charged, and I am also of the opinion that a very large number of the licensed places should be done away with, and that we should endeavour to obtain a better class of licensees.

33698. Supposing one or the other had to be done away with, the hotel bar or the saloon bar, which in the interest of the community should be removed?—I should say the saloon bar.

33699. Have you ever considered the question of the treatment of the persistent drunkard, the man who is up before the Police Court, is sent to jail and appears again and again; whether it is better to have him treated as now under the law by sending him to jail for short terms, or whether it would not be better to shut him up for a length of time with a view to his reformation, if possible, at all events so that he may be kept from the evils of drunkenness?—I think the man who is constantly arrested for being drunk and who is repeatedly serving short terms of imprisonment, varying from one month in length, is lowered by the punishment he receives. If he has served two or three months in prison, he is lowered in his own estimation by the very fact of being

L. F. HUGHILL.

sent to jail for that offence. If it were possible, instead of having that man committed to jail, punish him by putting him in an inebriate asylum or institution of that kind, in which he could spend a certain length of time. It might lead to his reformation.

33700. Have you considered the question of introducing light wines in place of heavier liquors for general use?—It appears to me that in old countries like England and continental countries like France, there is very much less drunkenness than in countries where the heavier liquors are used. In France light wines are used altogether. The taste for light wines is an educated taste, and of course it takes some time to get people to drink them. Whether you could get men who drink whisky to drink them, I do not know. It might be difficult, if not impossible.

*By Rev. Dr. McLeod:*

33701. I think you said that you are connected with a newspaper?—Yes.

33702. Have you been long in Brandon in connection with a newspaper?—As I said before, I have not been long in Brandon this time, but I have been here before this. I have only been here this time two or three months.

33703. Then you are not a permanent citizen?—No; I have not been here as a permanent citizen for any length of time.

33704. Were you in another part of Manitoba before you came here?—Yes.

33705. Immediately before coming here?—No; I was in Winnipeg for three years.

33706. Were you connected with the press there?—No; I was with the Canadian Pacific Railway.

33707. You have said that in the Territories prohibition was not enforced at all? Was that because of the peculiar way in which the permit system was administered?—When I said prohibition was not enforced at all, I meant to refer to the time previous to the permit system, when I was first at Fort Macleod. There was no permit system. Whisky was smuggled in from Fort Benton. Then Colonel McLeod, Commissioner of the North-west Mounted Police, received an order from the Government that he could issue permits to a limited extent, and afterwards Governor Laird issued permits when he came into the country.

33708. You were in the country, then, during Governor Laird's administration?—Yes.

33709. Where were the headquarters of the Government at that time?—At Prince Albert.

33710. How long ago was that?—I think it was in 1877 and 1878. I saw Lieutenant-Governor Laird at the time of the treaty making with the Blackfeet Indians in 1877.

33711. That was previous to the permit system, I suppose?—Yes, you could not even get a permit; but previous to the arrival of Governor Laird, Colonel McLeod was acting Lieutenant-Governor of the Territories.

33712. How long prior to the time that permits were issued was prohibition supposed to be in force in the Territories?—From the arrival of the Mounted Police. When they arrived at Fort Macleod a prohibitory law was established.

33713. In what year was that?—I think it was in the fall of 1874, when the North-west Mounted Police arrived at Fort Macleod; and from that time up to about the fall of 1876, or 1877, the permit system was in existence, and you could get permits from Governor Laird.

33714. When permits were issued, I suppose liquor came in under permits?—Yes, and liquor was sold not only for medicinal purposes, as was supposed to be the case.

33715. In Colonel Herchmer's report, there is a statement that if prohibition were to be enforced, the permit system would either have to be abolished or differently administered, and there needed to be removed certain technicalities that made the enforcement of the law difficult. Had you reason to believe that any good at all was effected by the prohibitory law?—Not in the North-west Territories.

33716. Was that because of non-enforcement?—Yes.

33717. Do you believe that if the law had been enforced rigorously, it would have accomplished good in certain sections?—Decidedly so.



33718. Do you think enforcement was practicable?—There was no earnest effort made. It could hardly be enforced in such a country. Men could cross the line at Fort Benton, and it would be necessary to keep a very large force along the line to stop any men crossing. At that time the North-west Mounted Police had not that full acquaintance with the country and the people they now possess.

33719. Speaking about the law being flagrantly violated and the bad effects: which would it be better to do, repeal the law or set about enforcing it?—If it were possible to enforce it, I would certainly enforce it.

33720. Do you think it possible to enforce a prohibitory law under any circumstances?—I could hardly answer that question.

33721. Do you say it is impossible or difficult?—I think it is very difficult indeed.

33722. Do you believe that if such a law were enforced, the results would be good?—Decidedly.

33723. Do you think the fact that public sentiment expressed itself as favourable to such a law as it has done in the recent plebiscite, would make it more easy to enforce it in the country?—No; I do not think that that vote, as a vote, is one on which any body could reason anything.

33724-25. How do you account for that?—It was a political cry, and a great many people therefore voted that way. I will tell you an incident which will illustrate my idea of the whole thing, as well as I can illustrate it. The case was at Oak Lake not long ago. There is a man there who holds a very good position in a large company in this country. I asked him how he felt about the election. He told me he voted for prohibition. I was rather astonished at that statement, and I said: "Why did you vote for prohibition," especially when I knew he was a man who does not go in for prohibition, and who readily takes his liquor. He said: "I am in receipt of a good salary, \$150 per month, but I can make a great deal more in a prohibition country by selling liquor; that is why I voted for it."

33726. Is he a sample of a large number of the people?—I do not know, but that is what he said.

33727. Have you noticed whether the licensed men in the business in Manitoba are all of them, or largely favourable to the prohibition movement?—I hardly fancy they would be, but I cannot speak for them as a body, for I do not know many of them.

33728. Do you think the man to whom you have referred represents the sentiment of a large number of the people who voted for prohibition at the recent election?—I think there were a large number of the people in a similar position.

33729. Do you think that he is a fair representative of 22,000 people?—I would not say that.

33730. You do not think that 22,000 men, if prohibition were passed, would go into the illicit business and sell?—I do not think that number would go into the business, but some of them might do so.

33731. A witness in Winnipeg stated that a great many people voted for prohibition for fun?—I do not see what fun there would be in voting for it.

33732. Then it would be difficult to account for it, from your point of view?—Yes, because I know men who voted for it, and who every day of their lives drink some alcoholic liquor.

33733. Do you think that if a man votes for prohibition, and yet is in the habit of drinking, he does not mean to vote that way?—I do not think I would say that. Although I am not a temperance man, at the same time I would vote for prohibition if it could be strictly enforced.

33734. Then you believe that if it could be enforced, it would do good?—I do.

33735. Do you think it is worth trying as an experiment?—You will have to make a better experiment of it than was made in the North-west Territories.

33736. Do you think that was a fair experiment?—It was not a fair experiment.

*By Judge McDonald:*

33737. I understand that you are favourable to prohibition as a principle, but that you voted against it because you considered it impracticable. May there not have been

L. F. HUGHILL.



many people who voted for it at the time, believing that it would do away with drunkenness?—Yes.

33738. But not having had your experience as to the practicability of any prohibitory law, they were not guided as you were in giving their votes?—That was very generally the case.

*By Rev. Dr. McLeod :*

33739. Is drunkenness the only evil resulting from the liquor trade?—I think that is the direct evil, but there are a large number of evils arising from it indirectly.

33740. As a newspaper man, have you had a large experience?—I have not.

33741. Does the liquor trade affect trade industries, injuriously or beneficially?—Liquor used to excess must do injury.

33742. I do not mean the use of it to excess, but in regard to general business. What effect does it have on the general business of the community?—I do not think it has any good effect.

DAVID H. COOPER, of Brandon, barrister and manager of the Freehold Loan and Savings Company, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

33743. How long have you lived in Manitoba?—About ten years, since December, 1881.

33744. From what part of Canada did you come?—From Lindsay, in the County of Victoria.

33745. Have you noticed, since you have lived in Brandon, any change in the social customs of the people in regard to the use of intoxicating beverages?—I do not see very much change.

33746. When you came here what system in regard to dealing with the liquor question was in force?—I believe there were no licenses in force when I came here first.

33747. Was liquor sold?—I believe it was. I do not know anything in regard to this matter from actual experience.

33748. Have you observed anything of the license law, whether it is reasonably well observed or not?—It is reasonably enforced in the city here, as well as you might expect to see it. I do not think it is very thoroughly enforced. I am not very much in a position to say anything about the sale, as I do not go much round hotels, and therefore cannot speak of illicit sale during prohibited hours.

33749. Do you know whether any illicit sale takes place?—I believe there is some.

33750. In the city?—Yes, at the taverns.

33751. Have you considered the treatment of the persistent drunkard?—Not to any extent. I have not given that matter much thought, and I am not able to express any judgment on it.

33752. Have you considered the question of encouraging the use of light wines and beers in preference to the heavier liquors, especially spirits?—I have thought of that matter to some extent. My opinion would be that it would only encourage the use of strong liquors; I think it would lead to that.

33753. Then you do not think any advantage is to be gained by that change?—No, nothing is to be gained by that at all.

33754. Have you had any experience of prohibition?—No.

33755. Have you considered and studied the subject of prohibition?—I have studied it, to some extent.

33756. Then you are hardly in a position to express an opinion as to its workings?—I do not see why such a law could not be enforced as well as any other law.

33757. Have you considered the question of granting compensation to brewers and distillers for the loss of their plant and machinery in the event of the enactment of a

general prohibitory law?—That is a very debatable subject and I have not formed a strong opinion on it. Looking at it from my present standpoint, I do not feel inclined to compensate them to any large extent.

*By Rev. Dr. McLeod :*

33758. I understand that you are Manager of a Loan Association?—Yes.

33759. From your experience as Manager of a Loan Company, are you able to say what effect the drink habit and the drink traffic have on your loan business?—They certainly have a very bad effect.

33760. Do you find that borrowers who have the drink habit are not as likely to pay the loans as total abstainers?—We certainly find that to a very large extent. Farmers who are heavy on drink generally go to the wall.

33761. They neglect their business?—Yes.

33762. Have you had experience of that kind in Manitoba?—I have had some, but I have not had so many cases in Manitoba as in Ontario.

33763. Is the drink habit very prevalent among the farmers in Manitoba?—In some localities it is and in other localities it is not.

33764. Then it differs according to localities?—Yes.

33765. I understand you have noticed in Ontario that the drink trade and the drink habit have affected injuriously your business?—Yes.

*By Judge McDonald :*

33766. Have you suffered any loss from drunkenness—I refer to the operations of your company in Manitoba?—I cannot say that we have suffered any particular loss. We have had to take land and have sold it afterwards to other parties. I should not like to attribute the cause always to drunkenness, but it was an element in the matter.

*By Rev. Dr. McLeod :*

33767. I suppose the Loan Company is not really the loser, but it is the borrower who is the loser, because the Loan Company generally tries to cover itself from loss?—We generally try to cover ourselves.

33768. But you say that you have had to take lands?—Yes, very frequently.

*By Judge McDonald :*

33769. In cases of people who do not drink?—We have.

*By Rev. Dr. McLeod :*

33770. How large a proportion of the cases do drink?—I do not keep any statistics.

33771. We had the Manager of a similar company in the Maritime Provinces who made a statement from his record?—I keep no record of statistics of that kind.

WILLIAM JOHNSTON, of Brandon, agricultural implement dealer, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

33772. Do you hold any official position in connection with trade matters?—No.

33773. Are you a member of the Board of Trade?—I was President of the Board of Trade, but I am not so now.

33774. How long have you lived in Manitoba?—I have been here since January, 1882.

33775. Have you lived all that time in Brandon?—Yes.

33776. From what part of Canada did you come?—I came from the County of Grey, Ontario.

33777. Have you noticed since you have been in Manitoba whether there has been a change in the social customs of the people in regard to their drinking habits?—No. I do not think that I have; I do not think they are quite as bad as when I came here first.

33778. Have you found this to be a sober and intelligent community?—Yes.

33779. Have you observed whether the license law has been fairly well observed?—I have not paid particular attention to it; I think it is pretty well observed in Brandon.

33780. Have you considered the question of the persistent drunkard, as to whether a system should be adopted that would place him under restriction and out of harm's way with a view to his reformation, instead of continuing the present system of sending him to jail for short terms?—I think such a change would be better.

33781. Have you considered the advisability of encouraging the use of light wines and beers in preference to heavier liquors?—I think that would be an improvement.

33782. Have you reason to believe that there is illicit sale to any extent?—I could not say.

33782a. Have you had any experience of prohibition?—Nothing but the Scott Act.

33782b. Where was your experience of the Scott Act obtained?—In the County of Grey, Ontario; it was the Dunkin not the Scott Act.

33783. In what township was it in force?—In the township of Collingwood.

33784. How did it work, was it a success?—No; there was more liquor drunk than under license.

33785. From your experience of prohibition, do you think it advisable to adopt a general prohibitory law for this Dominion?—I am in favour of prohibition, and I think the manufacture of liquor should be stopped.

33786. Supposing the manufacture was stopped, would it be practicable to stop the importation of liquor?—Yes.

33787. How would you hope to do it?—I think the Government should stop the importation of liquor.

33788. Have you ever considered the question of the position of Canada, with its vast coast line on two oceans, and its contiguity to the United States along a very extended boundary line?—I do not think the Government could stop the trade entirely, but they could make it very difficult to obtain liquor.

33789. Why did the people not stop the trade in Collingwood?—Nobody seemed to take an interest in the matter.

33790. You would expect to have the Dominion appoint a staff of officials to see to the enforcement of a general prohibitory law?—Yes.

33791. To see that no liquor was manufactured in the country and no smuggling carried on?—Yes.

33792. You think if both these things were done, prohibition might be thoroughly enforced?—I think so.

33793. And you would be favourable to have such a law enacted, if it could be enforced?—Yes.

33794. Have you considered the question of granting compensation to brewers and distillers for loss of plant in the enactment of a general prohibitory law?—I have not given that matter any consideration.

REV. ALEXANDER H. CAMERON, of Brandon, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

33795. How long have you resided in Brandon?—<sup>1</sup>Only a few months.

33796. With what denomination are you connected?—I am a minister of the Presbyterian Church in Canada.

33797. How long have you lived in Manitoba?—Eleven years.

33798. Have you ever resided in the North-west Territories?—Yes, for two years. I was in charge of the missions between Calgary and Revelstoke.

33799. During what years?—1886 to 1888.

33800. Was a prohibitory law in force in the North-West Territories then?—Yes, with the permit system.

33801. Did the permit system up to that time include 4 per cent beer?—I really cannot say.

33802. But you were there in 1886 and 1888?—Four per cent beer came in, I believe, in 1888.

33803. What law was in force in Revelstoke?—That was in British Columbia.

33804. Was the license law in force?—Yes; I made Donald my headquarters.

33805. Was there a license law in force in Donald?—Yes, high license.

33806. Were there many hotels selling?—There were about 30 places; 16 places under license and 14 unlicensed.

33807. Was that while the construction of the Canadian Pacific Railway was going forward?—It was later. It was at the time of the construction of the snow-sheds at the finishing up of the work, from 1886 to 1888.

33808. Was the population of the place a fluctuating one?—It was fluctuating; the population was about 300.

33809. What is the condition of Donald now?—It is much better.

33810. Has the population diminished?—In 1888 when I came east there was a population of 250.

33811. Are there many licensed hotels there now?—Yes.

33812. How many?—I understood that they were to be reduced to three. I think, however, that the number was reduced to four.

33813. At Revelstoke, how many were there?—There were two between Donald and Revelstoke, and I think liquor was sold at almost every place there.

33814. What was the character of the liquor sold?—It was spoken of as bad.

33815. Were you at Banff too?—Yes.

33816. How did you find the liquor there?—They had pretty good ale there.

33817. How was it at Calgary?—It was not in my district.

33818. Was much liquor sold at Banff?—Yes; I believe one man was arrested for selling liquor there and was fined \$150 or about that amount. Liquor was found in his possession, but it was proved that it had been brought in on a permit.

33819. Was he selling it?—Yes.

33820. Had men the right to sell under a permit?—No; but they protected themselves when arrested.

33821. I suppose the liquor could not be taken from them?—Quite so, and they could not be fined.

33822. What class of men were at Donald and Revelstoke in those times?—They were largely railway men working in the round-house, on construction or on the bridges.

33823. What kind of people were engaged? Were they strangers who came in for the time being, or were they a portion of the regular inhabitants of the country?—It was during construction time and you might call it a "slab-town."

33824. I suppose strangers arrived in considerable numbers?—Yes, from the different provinces, some even from my native province, Nova Scotia.

33825. Did any come in from the United States?—Not that I know of.

33826. Did they appear to be all Canadians?—Yes.

REV. ALEXANDER H. CAMERON.



33827. Was selling liquor all the business they had?—I may say there was one thing there that would not be authorized by any other Government, a variety hall, regularly licensed by the British Columbia Government.

33828. Was there an immoral performance?—That is what it really covered.

33829. Was there no police supervision?—I should have judged it better to have had one decent and respectable place rather than half a dozen bad ones.

33830. You mean that it would have been better to have had one regularly licensed house under the control of the authorities, rather than a number of unlicensed ones?—Yes.

33831. At Banff, which was under the prohibitory law of the North-west Territories, did a better condition of things prevail?—Very much better. At that time Banff was in a very satisfactory state; there was no liquor sold and very little smuggling. The Superintendent was very strict, and he enforced the law.

33832. Where was it that the man had a permit?—At Anthracite, five miles this side of Banff.

33833. Is the population there connected with the coal mines?—Yes.

33834. Then it was at that place where the sale of liquor took place to which you have referred, and where the man was fined?—Yes.

33835. Were there any licensed places at Banff at that time?—No.

33836. Did you see anything of the operation of the four per cent law in the Territories?—No.

33837. Have you been there since the license law came into operation?—No.

33838. How did you find the state of things in this province?—There is very good order maintained here.

33839. Are you favourable to prohibition?—I am.

33840. Do you think it practicable?—Yes.

33841. Do you think it applicable?—Yes.

33842. Have you considered it as applicable to the country as a whole?—From the observation of public contractors, who carried it out on public works that were being constructed while the railway was being constructed, I am of the opinion that such a law could be carried out.

33843. What was their system of enforcing it?—On railroad construction, east of Winnipeg, Mr. Whitehead was in favour of prohibition, and he put the law in force.

33844. At that time that part of the country was understood to be Keewatin, and there were no permits granted. Would there not be a great deal of trouble in enforcing such an Act?—It was enforced with 1,100 men employed.

33845. Who enforced it?—The contractor with the aid of a constable.

33846. With the aid of one constable?—Two constables were sufficient for 37 miles of work.

33847. Were not efforts made to bring in liquor?—Yes.

33848. How were those efforts detected?—The parties would not be long on the work before the constable would have information regarding them.

33849. Did the men begin to show the effects of the liquor?—Yes.

33850. From what point was the liquor brought in?—From Winnipeg.

33851. Did they bring it in in different kinds of vessels?—Yes, sometimes in nitro-glycerine cans, sometimes in oyster cans, in barrels of sugar, etc.

33852. Nitro-glycerine, I suppose, had to be used on the works?—Yes; and very few men were found who cared to interfere with the cans.

33853. From what you saw there, do you consider it practicable to prevent liquor coming into the country?—I do.

33854. Taking the country as a whole and the question as a whole, looking at Nova Scotia, New Brunswick and Prince Edward Island with their vast coast lines, and the Province of Quebec with the Gulf of St. Lawrence running through it, and the vast coast line of British Columbia and the boundaries adjoining the United States, what system would you adopt to prevent liquor being brought in?—I do not care to enter into that matter.

33855. Have you studied it all?—No; but with a Government in favour of carrying out prohibition, I think it could be done.

33856. You believe it could be done with an efficient police force?—Yes.

33857. How would you provide for the payment of the force?—The force would be paid by the Government.

33858. I suppose the cost of maintaining that force should, from your point of view, be met by the Government placing that law in force?—I think it would be money spent in the right direction.

33859. Would you be willing to bear your share of the expense of the work?—Yes.

33860. In regard to the suppression of illicit stills, I suppose you think a special force would have to be appointed?—Yes.

33861. Now illicit stills and smuggling are suppressed for license purposes, and of course a very small proportion of the community are in favour of smuggling and illicit stills: would you not have a large class to deal with in case of the enactment of a general prohibitory law?—Yes.

33862. But you would increase the force and make it sufficient for the work?—Yes.

33863. Have you considered the question of granting compensation to brewers and distillers for loss of plant in the event of a general prohibitory law being enacted? I am not in favour of granting compensation to them, for this reason: that those men have had sufficient information in regard to the growth of public sentiment in favour of prohibition, to have taken warning. At the same time, as they were granted licenses for a certain term, I think they should be compensated, should prohibition be enacted for say six months, while the enforcement of the law would interfere seemingly with their business.

33864. Then you would allow them compensation for loss of business for six months. Would you pay compensation for the machinery that brewers and distillers are required by the Government to put in their establishments? The Parliament from time to time passes laws requiring them to adopt new improvements in machinery, so that the Government may have a greater check on the manufacture of liquor: and, moreover, the Government require them to keep their stocks of liquors for at least two years for purposes of rectification before its sale is allowed. As Parliament has enacted laws, compelling distillers to put in special machinery and to keep their stocks in bond for two years, have they not a fair claim for compensation?—I have not studied that part of the question.

33865. Would it not seem reasonable that in each case compensation should be made?—I do not think it should.

33866. No more than in the case of the license? The law requires and compels a licensee to have certain fittings in his house and in his bar?—He practically stands in the same position.

33867. You would not allow him for the fittings?—No.

33868. But you would allow him for the months during which the license had yet to run?—Yes.

*By Rev. Dr. McLeod:*

33869. How many years have elapsed since you left Nova Scotia?—I left it on 30th June this year.

33870. What part of Nova Scotia?—New Glasgow.

33871. Have you knowledge generally of Nova Scotia?—No.

33872. Have you observed how local option works down there?—I was only visiting there.

33873. So you would not like to express an opinion?—No, I went east, and visited different places in connection with the Church work.

*By Judge McDonald:*

33874. Did you get to New Glasgow, by railway?—Yes.

33875. Were you at the hotel at the station?—My friends lived there, and it is my home.

33876. Then you did not notice whether any sale of intoxicating liquors was going on?—There is very little liquor sold in New Glasgow.

REV. ALEXANDER H. CAMERON.

33877. Would you be surprised that passengers simply passing through by railway could visit the hotel and have intoxicating liquors sold to them at the table, publicly?—Yes, I have had meals at the house outside the station, but have never observed anything going on like that.

33878. Then it will surprise you to hear of such being done?—Yes.

WILLIAM FERGUSON, of Brandon, wholesale liquor dealer, on being duly sworn, deposed as follows:—

*By Judge McDonald:*

33879. How long have you resided in Manitoba?—Ten years last April.

33880. During that time have you resided principally at Brandon?—Yes.

33881. Where did you come from?—From Edinburgh.

33882. Were you engaged in the same business when you were in Scotland?—Yes.

33883. How long have you been in business here?—Ten years on 10th of next month.

33884. Without making any inquiry into your business, but taking your business as it is, and allowing for the increase of population since you came here, have you found the sales to be increasing or diminishing?—My business has increased, but I account for it by the increased population.

33885. There has not been anything beyond an ordinary increase?—No.

33886. Has there been any change in the character of the liquor that the people seem to favour?—That depends greatly on the weather. In the summer they want light liquors; from now until next spring they want something stronger.

33887. Is lager beer much consumed?—Yes, especially in summer.

33888. Is its consumption increased in the summer months?—Yes; but the demand falls off in winter.

33889. And the demand increases in summer, I suppose?—Yes, and it has increased with the increase in population.

33890. Do you import from Europe direct?—Yes.

33891. And you also import from Ontario?—Yes, from distillers and brewers in that Province, and also in Winnipeg.

33892. Do you give your orders through travellers or direct?—Some direct and others go through Montreal.

33893. In regard to imported liquors: have you any opportunity yourself of testing them as to purity, I mean by regular test; or do you take them on faith, as you receive them?—Yes.

33894. You receive them in the packages in which you sell them, I suppose?—Yes.

33895. You sell by the quart or gallon?—Yes.

33896. What is the smallest quantity you are licensed to sell?—A quart.

33897. I understand you are a wholesale liquor dealer under the Manitoba License Act?—Yes.

33898. Have you had any opportunity of observing the license law, and are you able to state whether it is well enforced or not?—Yes. I do not think it is enforced anywhere better than in Brandon.

33899. Do you think there is any illicit sale?—I do not think there is any.

33900. You have no knowledge of any?—No.

33901. Have you ever considered the question of the treatment of the persistent drunkard? You are aware that there are some men who are frequently before the court and sent to jail for short terms?—In regard to those people who are not able to take care of themselves, I think they should be taken care of.

33902. You think they should be placed under some restrictions?—The Act provides for that. It gives a member of a family power to get out an interdiction.

33903. In the case of such a man you would place him in some institution where drunkenness is treated as a disease?—Not at all.

33904. Do you not think the man would manage to get liquor? Are there not some men in the traffic who would be disposed to supply the man whether he was under an interdiction or not?—Not in this town.

33905. Then you do not think such a man could get liquor here?—No.

33906. Take a man such as I have described, who is a trouble to the community, should he not be placed in an inebriate home or institution where he could be taken care of?—I think so.

33907. With a view to his reformation, if possible?—Yes.

33908. I understood you to say that the use of light wines and ales is a matter of climate?—Yes.

33909. The Commission have been told that in Europe or at all events in the southern part of it, the people use light wines instead of the heavier liquors?—Yes.

33910. How is it in Scotland?—They mostly use whisky.

33911. Is there any particular difference between Irish and Scotch whisky?—No; it is a matter of flavour.

33912. Have you had any experience of prohibition in any country?—No, except in the North-west Territories.

33913. Where were you residing?—I was at Moose-Jaw on business.

33914. When were you there?—Since the railway was there.

33915. Was prohibition long in force then?—Yes.

33916. Was liquor sold there?—I went there to push the permit trade.

33917. Did you find your trip successful?—Occasionally I did.

33918. What do you mean by pushing the permit trade?—I went to the hotels and gave people a card, as I thought it was my right to do and my interest to do.

33919. Were you able to get drink?—Yes.

33920. How did you push the permit trade?—I let the people know I was in the business, and where they could get the goods if they had permits.

33921. Then you mean that when a man had a permit he could send it down to you, and you would furnish the liquor?—Yes.

33922. What quantities did those permits usually cover?—Five or ten gallons at a time. At first it was two gallons at a time, but it was afterwards increased.

33923. Were the men who had permits dealers in liquor?—No, not altogether. Some were, and they would go down and get a certain quantity. Then they would return: I do not know what they did with the liquor, I presume they disposed of it.

33924. Was there much trade built up in that way?—Yes.

33925. Was liquor sent out to different sections?—Yes, from here to Fort Macleod.

33926. Not north of the line?—Yes, to Prince Albert.

33927. Did permits come from all those points?—Yes.

33928. How was the liquor shipped?—It was shipped by express.

33929. Did you do any business in four per cent beer?—Very little.

33930. Did you supply it to the Territories?—Not to any extent.

33931. Did you purchase any yourself?—Yes.

33932. Did you think there was more than four per cent of alcohol in it?—I could not say.

33933. Some one has expressed the opinion that there was more than four per cent in it?—Sometimes the dealers would put something in it to make it stronger. Pedlars sometimes would put brandy in it.

33934. Were those pedlars going about the country?—Yes; but that practice did not prevail to any great extent. There were always plenty of people who were anxious to go into the business.

33935. Had you any opportunity of testing the liquor they were peddling: did those people adulterate the liquor very much?—I was very cautious; I was afraid of the whiskey up there, I had heard so much about it.

33936. Supposing a man got a permit for five gallons of liquor and brought it into the country and was going to peddle it, was it not a great temptation to him to increase the bulk and at the same time to endeavour to keep up the alcoholic strength?—Exactly.

WILLIAM FERGUSON.



33937. Did you learn what substances were used: were bluestone and tobacco used?—I have heard so, but I could not say positively what the ingredients were.

33938. I suppose it is hardly necessary to ask you whether you are in favour of the prohibition of the liquor business?—If there was prohibition the world over, I would certainly be favourable to it.

33939. What about having prohibition in Manitoba?—It would not do at all. There would be smuggling across the line. Some people imagine that liquor could be kept out, but I do not think it could, and it would come in by all kinds of ways.

33940. In case of the enactment of a prohibitory law, would you favour the granting of compensation to brewers and distillers for loss of plant?—I think so. They pay a heavy license now. I have paid \$500 myself for a license.

33941. Do you think they should be remunerated for their stock on hand?—We pay a heavy license, and are obliged to carry a certain amount of liquor.

*By Rev. Dr. McLeod:*

33942. Is there smuggling of liquor now in this country, say into Manitoba, where there is a license law?—I do not think so, not to my knowledge.

33943. The Commission is aware that there is extensive smuggling carried on in the Province of Quebec by the St. Lawrence route?—Yes; but I do not think that prevails now. If, however, prohibition were enacted, there would be a great many enter the business.

33944. Is it not a fact that at the present time nearly three-fourths of the total cost of whisky is in the duties; should not, therefore, the trade be profitable?—There is not a large enough quantity sold to make it pay.

33945. Is that because the preventive officers along the line are on the alert?—Yes.

33946. Do you think the same officers might prevent smuggling if there was prohibition?—Taking the position now, there are too many in the trade to allow liquor to come in in that way because they could not sell it. If liquor was brought in under a general prohibitory law, then it would be very different, because lots of men would go and inform.

33947. Would they inform now?—They would, if they could find it out.

33948. The impression was given the Commission in Quebec that considerable quantities of liquor smuggled there were bought up at reduced rates by the dealers and also by the distillers?—Indeed. I have found in this country, where there is local option in force, you cannot get the same accommodation at hotels as where there is license.

33949. You do not think it is easy to run a hotel without the sale of liquor?—Not in this country.

33950. Why?—I think it is because the people eat so much; the hotel-keeper has to sell liquor in order to help to feed the people who do not use liquor.

33951. In order to feed the people who do not buy drinks?—That is about it.

33952. Is that fair to the hotel-keeper and fair to the people themselves?—He will lose on the food and make it up at the bar.

33953. Suppose ten men go to an hotel, and five are people who are total abstainers and five take drink, and the hotel proprietor charges \$2 per day each. The five total abstainers pay \$2 per day, and think they are paying for the food they get; but it now appears that that is not the case, for the hotel man is not receiving his own from them, but he is making sufficient out of the other five men at the bar to help him feed those five total abstainers. Is that true?—I think it is.

33954. Should not the hotel proprietor charge those total abstainers more?—If they could go to a house and pay \$1 per day, they would not pay \$2.

33955. Do you not think that self respecting men want to pay for what they get?—They usually do.

33956. Are there any men in Brandon who get drunk?—I think there are occasionally, but they are very few.

33957. I suppose they buy drink at the licensed places?—Yes.

33958. I understood you to say concerning those people who cannot take care of themselves and who get drunk, that no one in Brandon would sell to such people?—Yes.

33959. Not if they were under interdiction?—They would not sell to men under interdiction, because they would not dare to do so.

33960. Do you sell retail as well as wholesale?—I am a wholesale and retail dealer.

REV. JAMES WOODSWORTH, of Brandon, on being duly sworn, deposed as follows:—

*By Judge McDonald :*

33961. To what Church do you belong?—I belong to the Methodist Church.

33962. What position do you hold?—I am Superintendent of Missions in Manitoba and the North-west Territories.

33963. How long have you lived in Manitoba?—A little over ten years.

33964. How long have you lived in Brandon?—Seven years.

33965. Did you live in the Territories at any time?—No ; I have not lived there.

33966. You have travelled there, I suppose?—Yes.

33967. We have the deliverance of your Church as given by the General Assembly at Montreal in 1890. I suppose you have read it?—Yes.

33968. As a minister and as an individual, do you concur in that deliverance?—Yes.

33969. Have you seen the working of prohibition in the North-west Territories?—Yes.

33970. Are you able to say whether under that system the people could obtain liquor or not?—I have seen men drunk, and I presume they purchased the liquor.

33971. How have you found matters in Brandon and in Manitoba generally? Have you found this to be a sober and law-abiding community?—If I spoke comparatively, that is judging from the other provinces, I should say they are.

33972. But you think the people are law-abiding on the whole?—I think so.

33973. You are opposed to the present license law, of course?—Yes.

33974. Do you think that the licensing of the traffic is in itself sinful?—I do not know exactly how to answer that question.

33975. We have met some witnesses in Winnipeg and in other parts of Canada who took the ground that it was sinful to license at all, and I simply wished to elicit your opinion on that point, before asking you in regard to the license law?—There has been a doubt in my mind whether prohibition under some circumstances, for instance as I saw it in some parts of the Territories, was better than license. But even if I were to suppose that license under some circumstances might perhaps be better than prohibition under certain circumstances, that would hardly answer your question. I have had no personal experience, and I do not know how I could give an opinion on the matter.

33976. Do you consider the licensing of drinking to be a sin?—I am inclined to that view.

33977. Knowing nothing as to what the effect of untrammelled sale would be, you are unable to say whether a license law would be preferable?—I could not.

33978. Taking the license law as it is, and assuming that it is the law, could you suggest any amendment to it?—No ; I have nothing to offer.

33979. In case of the enactment of a general prohibitory law, would you favour the granting of compensation to brewers and distillers for loss of plant?—I cannot see why they should be compensated.

33980. You would be opposed to that proposition?—Yes.

*By Rev. Dr. McLeod :*

33981. In your position as Superintendent of the Missions Board of Manitoba and the North-west Territories, have you observed whether the liquor traffic as it has been

WILLIAM FERGUSON.

generally carried on and the liquor habit have produced injurious effects on the business, social and moral interests of the country, or have they produced beneficial effects?—I think the liquor traffic affects unfavourably the moral and religious, and I would also say the business interests of the community.

33982. As a minister, have you observed in your own personal work as well as in your position as having superintendence of the work of other ministers, that the liquor traffic is an interference with Christian work?—Yes.

33983. Have you observed whether the liquor traffic is in any degree responsible for crime and poverty, domestic trouble, neglect of children and neglect of religion?—Undoubtedly so, in a very large degree.

33984. Do you know of anything else that is in an equal degree responsible for those troubles?—Nothing else that I am aware of.

33985. I think you have already stated your belief in the principle of prohibition? Yes.

33986. Do you think there would be any trouble in enforcing prohibition if enacted by the whole of the people, because whatever is done by Parliament is done by the will of the people? Notwithstanding apparent difficulties, do you think it would be practicable to enforce such a law?—If the people would put a principle of that kind before their party politics, it could be carried out.

33987. Then you think that politics interfere?—Yes.

33988. In the North-west Territories, have you observed the operation of the permit system?—In the early days of the permit system, permits were granted for small quantities of liquor, and later the law was so construed that persons were allowed by permit to bring in quantities of even 100 gallons for purpose of sale. Did you observe the condition of things under those two systems?—My experience in the Territories only dates back five years.

33989–90. That would be back to 1887?—Yes.

33991. Did you observe that the permit system was administered with a great deal of looseness and that scarcely any discretion was exercised in regard to it?—It was generally reported that this was the case, and later on, in 1889, permits to bring in quantities of liquor for sale were granted.

33992. Have you observed whether there is any difference in the quantity of liquor consumed and the drinking habits of the people generally under the present license law as compared with the permit system?—Of course the present system has been in operation only a very few months. As yet I have visited the Territories only once, but the general impression, as expressed to me in various parts of the country, was that the drinking had been far in excess of what it was previously.

EDWARD JUKES, of Brandon, on being duly sworn, deposed as follows:—

*By Judge McDonald:*

33993. What is your occupation?—I am Manager of this branch of the Imperial Bank.

33994. How long have you resided in Manitoba?—13 years this December.

33995. How long have you resided in Brandon?—10 years last April.

33996. Did you come here from one of the other provinces?—I came from Ontario, from Toronto, to Winnipeg; but I originally resided in St. Catharines.

33997. Have you seen a good deal of change in this country since you came here?—Yes.

33998. Have you noticed any change in regard to the customs of the people regarding the use of intoxicating beverages?—I cannot say that I have noticed very much change. I have seen a good deal of drinking and late hours, but considering everything, there is very little drinking in this province.

33999. Are the people sober and law-abiding people?—They certainly are.

34000. Have you observed the working of the license law in this particular community, whether it is reasonably well enforced and observed by the people?—I have not paid very much attention to it.

34001. Have you considered the question of high license and the limitation of the number of licenses or any of the questions in connection with the liquor traffic?—I cannot say that I have considered them. I do not think a few more licenses would make any difference.

34002. Suppose by legislation, either the hotel bar or the saloon bar had to be done away with, which would it be better to dispense with in the interest of the community?—I should say the saloon bar.

34003. I suppose you have no knowledge as to whether illicit sale takes place here or not?—No.

34004. Take your business as an example: have you found that the liquor traffic has any particular effect on it?—Of course in this district it has very little effect. There is only one brewer here and his output is very small. The effect would, of course, be greater in larger places, where there are distilleries and large breweries.

34005. What I desire to inquire is this, whether the drink trade has any effect on the business of the community as a whole, and whether you find it is at all disadvantageous?—It is certainly a very dangerous thing, this drink, but I have had very little experience that way. In this section it has not affected our business in any way.

34006. Have you considered the question of general prohibition for the whole Dominion: have you ever lived in a prohibition country?—No, I never have. I am opposed to prohibition.

34007. Are you opposed to prohibition in principle?—Yes. I think it takes away a man's right, to a certain extent, to think and act for himself.

34008. Supposing that such a law were passed, do you think it would be practicable, and that it could be enforced?—I do not think that it could be carried out in a satisfactory manner, or that it would be backed up by the voice of the people. I would be more inclined to close up the bars and let treating be done away with. I think such a measure would do more good than actual prohibition.

34009. You think there must be a very strong change of public sentiment in its favour before such a measure could be successfully carried out?—Yes.

34010. What difficulties would you apprehend in the way of carrying out such a law?—There are certain classes who will have liquor at any cost, and there is no doubt that they will find some means of getting it, and will get it.

34011. Have you considered the question of granting compensation to brewers and distillers for plant and machinery, in the event of the enactment of a general prohibitory law?—I certainly think they should be remunerated.

34012. Have you had any experience in Europe, where light wines and light beers are used?—No.

34013. It has been suggested that probably the use of light wines and beers might be desirable in this country, the use of them to a larger extent than at present, in preference to stronger liquors?—I think that would tend to reduce the ill effects of the liquor trade.

34014. Have you ever considered the question of the treatment of the persistent drunkard, the man who is constantly before the police court and is sent to jail for short terms, and then is back again? Have you considered whether it would be advisable to place such a man in an institution for inebriates?—Yes, I maintain that that should be done with a view to his reformation.

*By Rev. Dr. McLeod:*

34015. How would you maintain those inebriate homes?—I would have them organized as they are in the United States.

34016. Does the State maintain them?—Yes.

34017. You have stated that if either the hotel or saloon bar was to be abolished, you would do away with the saloon. Please state your reason for discriminating against the saloon and in favour of the hotel bar?—I do not know of any reason in particular,

EDWARD JUKES.



but I think there is more drinking going on in the saloon than in the hotel bar, because the hotel bar is principally used by the guests of the house, and there is not as much drinking as a rule. That, at all events, has been my experience.

34018. Then you think the saloon is more dangerous as a drinking place?—Yes; because the proprietor of the hotel will certainly endeavour to see that his bar is carried on in an orderly manner, and he will only employ men who will not allow liquor to be given to any man who is inclined to any extent to create disorder.

34019. I think the law prohibits the sale to any drunken man, and also after certain hours and on Sunday. Do you think saloon men are not careful as to whether they sell to drunken men or to sober men?—I do not think they are as careful as they might be; I do not think the law is carried out as strictly as it should be.

34020. It is claimed by some persons that the hotel bar is more dangerous than the saloon bar, for this reason: that while, on the one hand, the saloon is a place where liquor is sold, and where only men who have developed taste for liquor visit, and for the purpose only of getting drink, and do not hesitate about going there; on the other hand, the hotel bar is more dangerous because young men who have not the drinking habit formed strongly, can go there for the ostensible purpose of seeing a friend or a newspaper, and for other purposes, and at the same time they can go into the bar without being noticed and contract the habit of drinking. Have you ever thought of the matter in that light?—No, I have not.

34021. Then, in your opinion, the saloon bar is the greater danger?—It might probably be so.

34022. You have heard and read no doubt that there are certain people who think that the drink trade, as it exists, is a menace to their boys and girls, to the weak and unwary, and to the community in its business, social and moral interests. Have these people not the right to try and rid themselves of what they consider to be a danger?—I certainly think that if prohibition, supported by public opinion, could be carried out, it would be a good thing, and I for one would be only too glad to see it brought about.

34023. Then you think it would be a good thing, if it could be enforced?—I think so, if it could be strictly enforced according to law.

34024. So it is a question of the practicability of enforcing it, rather than a question of principle?—I hardly think it is a practicable thing.

34025. Have you thought whether the recent plebiscite in Manitoba means that the people would like to have prohibition?—I think they would like to have it.

34026. Do you think when the people of Manitoba, by 12,000 votes, expressed themselves in favour of prohibition, that they knew what it meant?—I think they did.

34027. As a business man, having charge of a bank, have you observed that the diversion of a considerable sum of money, expended in a place like Brandon, on drink, is a diversion from other channels in which money might be more suitably employed?—Yes, it might be used in a better way.

34028. Take Brandon: there are eight places licensed to sell liquor. It would not be an over estimate to place the sales at each place at \$25 per day, which would be \$200 per day for all, and that sum for 300 days would give \$60,000 per annum. Take that \$60,000 which goes into the liquor saloons in Brandon in the course of a year, do you suppose that if that money were turned into other channels, it would be productive of greater benefit?—It most certainly would affect business and improve it. I think in many cases, such as sickness, liquor is beneficial and is absolutely needed. There are no doubt men who use it to excess in any case, but at the same time prohibition would stop those who can take a glass of ale occasionally, which no doubt does them good, men who do not care to take liquor to excess.

34028*a*. The prohibition that is spoken of in this country and in every country you are aware, no doubt, is limitation of liquor for beverage purposes simply.—I hardly understand this prohibition: is it prohibition of the manufacture?

34028*b*. Yes, of the manufacture, importation and sale of alcoholic liquors for beverage purposes?—Quite so.

*By Judge McDonald:*

34028*c*. Do you think that probably if the money was not spent on liquor, it would find its way into other channels of expenditure of a better kind? Is

there not something in the idea of people being allowed to spend their own money as they please? If the money spent on fast horses and on theatre parties were expended in other ways, would it not be better if put into regular channels of trade?—Yes; there is a good deal to be said on both sides.

34029. So far as expenditure goes, is there not the question of the right of people to spend their own money as they please?—Certainly.

34030. In regard to the question as to the hotel and saloon bar. The question has been put to you as to whether, taking sample cases of young men, a young man might not go into a hotel to see a friend on business and going there be tempted, and thereby evil be done, and you have said that it is possible. On the other hand, are there not many young men, who would not go into a hotel and drink before the guests, but who would slip quietly into a saloon and drink?—That is the case.

*By Rev. Dr. McLeod:*

34031. Do you think prohibition is an attempt to make people spend their money in other ways than they desire?—No; I understand the meaning of prohibition to be to prohibit liquor coming into the country at all and the use of it as a beverage.

34032. Do you consider a prohibition law, whatever may be your view of prohibition, is educative, because the liquor traffic is, all things considered, a great injury to the country at large?—Yes; I believe so.

34033. And it does not compel men to spend money in some way or other, but it is viewed as a means of preventing the evils that result from the drink traffic?—Yes.

34034. That is the belief of its advocates, I think?—Yes.

STEPHEN CLEMENT, of Brandon, Sheriff of the Western Judicial District of Manitoba, on being duly sworn, deposed as follows:—

*By Judge McDonald:*

34035. How long have you resided in Manitoba?—I came here in the spring of 1880.

34036. Have you resided all that time in Brandon?—No. I resided in the North-west Territories, at Shoal Lake, and came to Brandon in 1882.

34037. How long have you been Sheriff?—Since 26th July, 1882.

34038. Did you come here from Ontario?—Yes.

34039. What county?—The county of Simcoe. I resided at Barrie.

34040. Did you leave Simcoe before the Scott Act came into force?—I think the Act was passed before I left; but I would not be sure whether it was the Scott Act or not.

34041. Have you seen the working of prohibition in the North-west Territories?—Yes; I have had some experience of it.

34042. How did it operate in the Territories?—In some ways it was beneficial, but it was a farce to a great extent, I think.

34043. Did the people have intoxicating liquors to drink?—They would get a cargo or a similar quantity occasionally, and then they would get together and drink to excess; they were not moderate about their drinking.

34044. They would use up the cargo, I suppose?—Yes, I remember up at Shoal Lake there was a case of a merchant and a farmer. The farmer got a five gallon cargo, and both of them soon got the worse of liquor, and the merchant went home without his boots.

34045. What became of the farmer?—The farmer looked after the merchant, and took him home.

34046. That liquor was got under permit?—Yes.

34047. Was liquor ever smuggled into the Territories?—Yes.

EDWARD JUKES.

34048. Do you know anything about the character of the liquor, whether it was adulterated with compounds or not?—There was bad liquor there. There was liquor used for medicine that was fixed up with different articles, and flavored.

34049. And with Pain-killer?—Yes, lots of Pain-killer.

34050. Were these liquors consumed by the people for beverage purposes?—Yes; by a few of them.

34051. Referring to Brandon: have you found this to be a law-abiding and sober community?—It is about equal to the average.

34052. Does it compare favourably with what you have known of communities in Ontario?—I think so.

34053. Have you charge of the prisons in the district as chief executive officer of the western judicial district?—Yes.

34054. Have you much crime?—Not for as large a district as this.

34055. How many prisoners have you in jail?—Probably five or six.

34056. What charges are against them?—A good many prisoners are there for larceny.

34057. Have you ever known a large proportion of them committed owing to the use of intoxicating liquor?—In regard to the prisoners now in jail, I could not say much about them; but taking prisoners generally, I think that probably the greater proportion of the crimes are committed through liquor.

34058. You mean directly or indirectly?—Yes.

34059. Have you observed the working of the license law here?—Not very particularly.

34060. Are there any amendments you are able to suggest to that law with a view to making it more effective?—No.

34061. Have you reason to believe that there is illicit sale of liquor at Brandon?—I do not know of any.

34062. Do your duties cause you to travel much over the country?—Not much.

34063. Do you employ a deputy?—Yes. I travel a little sometimes.

34064. In your travelling do you learn facts to lead one to suppose that there is illicit sale carried on?—I think there are places without license that bring in liquor occasionally.

34065. But you have no personal experience on that point, I suppose?—No.

34066. Have you considered the question of the treatment of the man who is habitually before the Police Court for drunkenness, and who is imprisoned for short terms? Are you able to say whether it would be desirable to lock up such men for long terms in inebriate asylums?—I have never given that matter much consideration. The cases that come under my notice are so varied. There are some men who take a little occasionally and are made drunk; it would be a pity to take them from their friends.

34067. In am not speaking of that class of man, but of those who are constantly before the Police Court and are sentenced for short terms?—I would decidedly approve of putting them in inebriate asylums when they are of no good to their families.

34068. Coming to the question of prohibition: are you favourable to prohibition as a principle?—I am.

34069. What do you think of the practicability of enforcing a general measure?—I think it could be enforced with very little difficulty.

34070. What machinery would you adopt for the purpose of enforcing it?—I have never gone into that.

34071. But that is one of the questions we have to face. We have a country with a coast line on two oceans. The Maritime Provinces occupy a large coast line; Prince Edward Island is entirely surrounded by the sea; there is the Gulf of the St. Lawrence River running up into Quebec; then there is the United States boundary, and the Pacific Ocean on the west: take the sentiment in those Provinces; consider the strong prohibitory sentiment in the Maritime Provinces, the strong feeling in Quebec opposed to prohibition, Ontario probably in the balance, and the strong feeling in British Columbia against it: would enforcement throughout the whole of the country be practicable, or would you look upon enforcement only in this Province as practicable? If so, how would you deal with the provinces opposed to it?—I think it should be their

duty to see that liquor was not brought in. I hold that without incurring very great expense, liquor might be kept out. There are a great many people who say that if liquor was not manufactured, there would be no difficulty, and if respectable men were put as officers, men who would not accept bribes, the law could be carried out.

34072. In regard to the Customs law and Inland Revenue law, have you not in each of these cases a law that has the sympathy of the great bulk of the people all over the country behind it?—Yes.

34073. Would you have that weight of sentiment with you if there were a prohibitory law enacted?—I think we would.

34074. Do you think that at least two of the Provinces which would be against it would fall into line and support it?—I should not like to speak very much about those provinces that would oppose it. The French people are quite different from Ontario people and are more disposed to drink; I have had very little experience of them, however.

34075-76. Would not the occupation of Collectors of Customs and Inland Revenue be gone in the event of the enactment of such a law, for there would be no inland revenue to collect—of course there might be some in Quebec? Would you have officers specially appointed to enforce such a law?—I have not given much consideration to the matter, but at the same time it appears to me that if it was the duty of the police constables and officers to get information and if there was a penalty attached in case of their failing to do so, the work would be done.

34077. You would require those officers who are connected with the administration of justice to look after the enforcement of a general prohibitory law?—That is a good idea, stated briefly.

34078. Would you favour the granting of compensation to brewers and distillers for loss of plant, in the event of the enactment of a general prohibitory law?—My idea is that where they have been running, say five years, they have had a pretty good opportunity of making money and compensation should not be very extensive, though I think some remuneration might be advisable under some circumstances.

34079. It has been suggested in the case of licensees, that in the event of such a law being passed, it would be fair to remunerate them for loss of business during the year for which they have licenses. What is your opinion in regard to that matter?—It does not seem just and equitable to give those men licenses for a year and then take away their business. It appears to me they should be allowed to run out their year; if not, recompense should be made them for the balance of the time.

34080. Have you considered at all the question of the encouragement of the consumption of light wines and beers in preference to heavier liquors?—I have not.

JOHN A. MACDONALD, M.D., of Brandon, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

34081. Of what college are you a graduate?—Of Trinity College, Toronto, and I am also M.R.C.S.

34082. How long have you resided in Manitoba?—Nine years.

34083. How long have you resided in Brandon?—All that time.

34084. From what province did you come?—From Ontario.

34085. From what county?—I came from St. Catharines, in Lincoln county.

34086. During the period of your residence in Brandon, have you noticed any change in the social customs of the people in regard to the use of intoxicating liquors?—No, I do not think there has been any. I came here after the boom days.

STEPHEN CLEMENT.



34087. Do you find that the people here are sober and law-abiding people?—Very much so.

34088. Have you observed whether the license law is fairly well observed?—I think it is well observed.

34089. Have you reason to suppose that there is any illicit sale of liquor in Brandon?—At the present time I have no idea of any liquor being sold outside of licensed places.

34090. Have you had, in the course of your medical practice, any reason to suppose that the liquors consumed are impure and adulterated?—Yes.

34091. Do you refer to imported liquors?—I refer to Canadian liquors.

34092. What is the trouble about them?—I could not say what the trouble is, but some of them are very weak. The whisky that is supposed to be imported is adulterated with water. There is an acrid taste to the whisky. The brandy prescribed by me for my patients and obtained by them was very poor, unless they got Hennessy.

34092a. Are those liquors imported?—They are made here.

34093. Are they supposed to be imported?—They are supposed to be imported.

34094. We have had evidence before the Commission that a certain class of brandy is imported from Europe and sold at wholesale in Canada for \$1.40 a case, each case containing two dozen bottles. That price includes the liquor, the bottle, the straw covering, the capsule, the label, the cork, the package and the freight from Europe, and the liquor is sold at \$1.40 per case of two dozen bottles in Canada. Could you hope at such a price to obtain pure brandy?—Certainly not.

34095. Have you ever considered the question of the treatment of the persistent drunkard, the man who goes from the police court to the jail for short terms and back again?—We have a few here.

34096. Is that a wise course to pursue, or would it be better to enact a law to place such men in an inebriate asylum?—Those people are divided into two or three classes. I have patients admitted to the hospital, who have come to me and asked me to have them interdicted; and I have known two or three to be interdicted and never take a drink during the whole term of their interdiction. There are some, on the other hand, who beg so hard for drink, after they had been interdicted, that the interdiction is of no use, for they will get liquor somewhere. That class of men should be confined in inebriate asylums.

34097. Have you considered the advisability of encouraging the use of light wines and beers with a view to diminishing the use of the heavier liquors?—Yes.

34098. Have you considered the question of prohibition?—In the first place, I do not know what prohibition is.

34099. I mean the prohibition of the manufacture, importation and sale of intoxicating liquors for beverage purposes, and allowing their use for medicinal and sacramental purposes. Of course under such prohibition a man could not have liquors in his own house?—Certainly.

34100. That is national prohibition as asked for in this Dominion. Do you think such a law would be advisable?—I do not think it is practicable.

34101. Do you think it could be enforced?—No. A continental law might be enforced.

34102. You refer to a law prohibiting the manufacture on the continent?—Yes.

34103. With the great length of sea coast, with vessels constantly arriving, do you believe that continental prohibition could be enforced?—I do not think it is possible to entirely prohibit the sale or use of liquors.

34104. What is the effect on a community of having on the statute-book a law that is persistently and flagrantly violated?—I think it has a demoralizing effect on the community.

34105. You mean on the public conscience?—Yes. I think it is liable to turn our average citizens, or at least a proportion of them, into illicit dealers.

34106. Do you think if such a law were passed and then flagrantly and persistently violated, it would be an educator for good?—Yes, for good.

34107. In what way?—I think if a majority of the people are against drinking, some people will go with the majority, quite a few will be so influenced. If men know

that the sentiment of the country is for prohibition, many of them who take drink now will not take drink under other circumstances.

34108. Is that the way it would be beneficial?—Yes.

34109. And you do not think that it could be practically enforced?—No.

34110. Do you think it would be advisable to grant compensation to brewers and distillers for loss of plant, in the event of the enactment of a general prohibitory law?—They have been recognized by the law, and to come down and say that they will not carry on their business any longer would certainly be unjust. I think if a prohibitory law were passed, they should be a lowed time in which to change their distilleries into other manufacturing establishments and to make other investments of their capital. They should obtain five or ten years time in which to make those changes.

34111. We have had evidence given by a reverend gentleman from his point of view, that in the event of the passage of such a law, it would be reasonable that men in the trade whose licenses have not expired should receive remuneration for loss of business during the balance of the year or term, or they should be allowed to run to the end of their term?—I do not think that that is enough.

34112. You think that they should receive more, that is the licensed dealers?—Yes. If a man invests \$4,000 or \$5,000 in the trade under the present license system, I do not think it is sufficient to allow him the balance of his license, say for six months.

34113. Then you would allow him something for loss of investment I suppose?—Yes, and allow him an opportunity to get into some other kind of business.

*By Rev. Dr. McLeod:*

34114. Why would you encourage the use of light wines and beers?—Because I do not think they are at all detrimental to health.

34115. You think the encouragement of their use would practically do away with the use of strong liquors?—Yes. I certainly think so.

34116. Have you been in France?—Yes, for a short time only.

34117. It has been claimed that the use of light wines by the people are quite common, that they form part of the daily food?—That is so.

34118. It is claimed that among people under such circumstances there is very little drunkenness; yet, against that statement, it is alleged that generally after a generation or more there has been an increase in the alcoholic habit. It is necessary to state against that contention that some people urge that the increased use of strong liquor is because of the lessened supply of light wines, on account of the damage done to the vines by the phylloxera. Do you think the use of wines is evil, for when the supply is diminished the people resort to strong liquors: would it seem to indicate that there is an appetite for stimulants that must be satisfied in some way?—I understand that you wish to know whether I believe the use of light wines creates and keeps up an appetite for stimulants.

34119. Yes. That is a question which is regulated by different circumstances. For instance, the use of light wines in this country would be so expensive that I do not think the use of them would ever be as general as in Paris and France, so I cannot exactly answer that question.

34120. You think the general use of light wines is scarcely applicable to our conditions?—I do not think it is. Of course, as regards light beers it is a different matter.

34121. As a practising physician have you observed whether the use of intoxicants is detrimental to health?—I certainly believe that the use of intoxicants in excess is detrimental to health.

34122. Is the habitual use of intoxicants detrimental to health?—I do not know what you mean by habitual use.

34123. Let me tell you what I mean: I mean the use of some intoxicant every day, perhaps a glass of beer in the morning and at noon and at night, or a glass of wine with an occasional glass of brandy, but not drinking to excess in the sense of getting half seas over or anything of that kind, but the habitual use of alcohol every day at home?—I do not think that a glass of beer or a glass of wine would cause the slightest damage to any one.

JOHN A. MACDONALD.

34124. Have you noticed whether the habitual user confines himself to that, or whether there is a strong tendency to increase the use?—I have never seen a man whom I have known turn into a drunkard. The drunkards I have seen have been ready made. I have never seen the process of incubation.

34125. Do you think they were born that way?—I think there is an element of truth in that; I think it is an inherited complaint.

34126. Have you noticed whether the children of habitual users are more likely in any degree to become users in a larger degree than their parents?—No. I may quote my own family in that regard. My father also had whisky in his house; there were seven boys, and none of us have drunk to excess, and we can either take it or leave it alone. I have left it alone, and have never taken a drink for two or three years at a time, and I do not know that I have ever been the worse for liquor.

34127. Were you the better or worse during the time you prohibited yourself?—I do not think I was as well, if I tell the honest truth.

34128. You think your general health was not as good?—I do not think I was quite as bright, although I must say that I do not drink liquor at any time sufficient to stimulate me. I take a glass of beer, or if late at night I come home tired, I take a glass of whisky and water. I am not, however, a habitual user of it.

34129. You spoke of some people being ready made with an inherited appetite for alcohol. That appetite most surely was not an original one?—That is, of course, open to discussion.

34130. Would not that be a matter of heredity at any rate?—There are some people who must do things out of order. I remember a man who smoked to excess if he had nothing to drink. He was a practising physician, and sometimes he would take a little chloroform. It seemed that he was bound to do something out of the common.

34131. I suppose that would not be to his benefit?—No.

34132. Then you do not think it injures a man to use alcohol moderately?—It does not.

34133. Take a man with a severe fever: has such a patient any better chance of recovery if he happens to be a total abstainer?—I do not think a total abstainer has any advantage over a man who has taken liquor in moderation during his life time.

34134. Do you think the bar-room is a necessary institution?—No.

34135. Do you think that it would be a good thing in the interest of the community to abolish the bar-room?—Yes. Looking at it from my point of view, no stimulant should be furnished without food.

34136. You mean as part of the daily diet?—Yes, if taken at all.

34137. Do you think the people who do not take it are better or worse without it?—I know some men who would be in better health if they took stimulants from time to time.

34138. Would they be few or many?—They would form a very large minority.

*By Judge McDonald:*

34139. Speaking as to the question of persons taking alcohol habitually: are there not thousands of people who take a glass of ale or a glass of wine and never go beyond that?—I suppose so.

34140. Is it not true, as a matter of history, that in France for generations, for hundreds of years, the people have been drinking light wines?—I suppose such has been the case.

34141. Do you find that the use has been productive of bad results?—Vin ordinaire is used everywhere. There is a matter in regard to prohibition I should like to make a remark about. A prohibition vote has been recently given in this Province. Although I believe that the people who voted for prohibition, at least the majority of them, believed that prohibition for the whole Dominion would be a good thing, I do not believe that half of the people who voted at the plebiscite believed in prohibition for the Province.

*By Rev. Dr. McLeod:*

34142. On what do you base that opinion?—I do not see how prohibition in the province could be carried out, if it cut off the revenue from the traffic. Under such con-



ditions I do not see how the provisions of such a law could be carried out. If the Act were general all over the Dominion, then, of course, the Dominion having power to tax other articles could make up the deficit; but take local prohibition in Manitoba, it could not be carried out.

34143. Do you think prohibition in Manitoba would reduce the federal revenue?—I do not know about that.

*By Judge McDonald:*

34144. The revenue at present obtained from liquor taxes would have to be raised in some other way, I suppose?—I do not know how it could be done.

34145. Have the people of Manitoba decided this question by the plebiscite?—There was a meeting here, and the President of the Prohibition Society, Mr. Mulock, was present. I asked, "Is this prohibition for the whole Dominion or for Manitoba?" He said: "The idea is to get the vote of the people of the different provinces by a plebiscite, and as soon as the people have declared in favour of prohibition, we can then go to the Federal Government for a general prohibitory law." So, I say this is an indication that the people do not want prohibition in Manitoba alone.

34146. So Mr. Mulock laid it down that, when all the provinces of the Dominion had decided in favour of prohibition by a plebiscite, the prohibitionists could go to the National Government for a national prohibitory law?—The point I make is this: It is generally taken that the people of Manitoba want prohibition for the province, because there is a feeling that way; but I think the large majority of the provinces do not care for prohibition, and I think the large majority of prohibitionists would not care for it in Manitoba if in the rest of the Dominion the traffic were free.

34147. Do you believe that when the people of Manitoba voted at that plebiscite, they voted in sober earnest? The assertion has been made that they did so; if that were the case, and the people were anxious for prohibition, would they not be willing, if necessary, to add to their provincial taxation?—I do not believe that the majority of the people want prohibition in Manitoba and the rest of the Dominion to be free, for this reason, it would be a very great expense to prevent the entrance of liquor into this province, surrounded as it would be by provinces where there would be free trade. I believe that if the people were to vote again, and the question were to be put before them, they would not vote for prohibition.

34148. Do you believe that their principles are so weak that they would allow their feelings to interfere with them?—I think that a very large number who voted for it would look at it in that light. If it did not affect the revenue of the province, I think they would be in favour of trying it.

34149. Did not some people vote for prohibition because they wished to get rid of the evils of drink, and thought that this might be a way of getting rid of them?—I voted myself with that idea. If it were a question between high license, so that a man earning \$1 or \$1.25 per day would be unable to obtain sufficient drink to make himself drunk, and prohibition, I would vote for high license, because that is practicable and prohibition is not.

34150. So you voted for prohibition on account of its principle?—Yes; I should like to see less drunkenness.

34151. Do you think that others voted for it for the same reason?—Yes.

34152. You have had experience of the Scott Act, I believe?—No; but I have seen many results of it. I hold that a man who wants a drink should be able to get it. I refused to sign a petition for local option when it was brought round.

34153. It has been stated in some sections of the province, where the Scott Act has been in force, and where it is kept in force by the repeated efforts of the people, that the system by which men who are in the trade are fined for the first offence \$50, but which never goes beyond the first offence, was equivalent to a system of high license. These fines go into the public treasury, and thus save the people from direct taxation. I need hardly ask whether you are in favour of a system of that kind?—It should be done on business principles or not at all; if prohibition is intended, it should be prohibition. From my point of view I prefer high license, because that is practicable, while the other is a farce.

34154. Have you any suggestions you desire to offer to the Commission?—No.

J. A. MACDONALD.



REV. W. H. JENKINS, of Brandon, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

34155. With what church are you connected?—I am pastor of the Baptist Church here.

34156. How long have you resided in Manitoba?—Two years last June.

34157. Have you been all that time in Brandon?—Yes.

34158. Where did you reside before that time?—In Cumberland County, Nova Scotia.

34159. Cumberland County is, I understand, under the Scott Act?—Yes.

34160. How long did you reside there?—I was there at two different times, the first time for six months, and then for one year.

34161. Was that just before you came here?—Just before I came here.

34162. In what place did you reside?—At Advocate.

34163. Did you find the Scott Act work well there?—They kept it enforced pretty well. We had some difficulty to manage the vessels, but the Act was pretty well enforced at that end of the county.

34164. How far were you from Parrsboro'?—About 30 miles.

34165. Do you know anything about the state of things there?—Before I came here I was there, holding a meeting at one of the churches, and at that time some of the liquor dealers, or at least one of them, had got some of the children drunk. That raised a great indignation. The Mayor called a mass meeting, and the people rallied and seemed determined to put the traffic down.

34166. Did they succeed in doing so?—It was towards the end of the winter, and I left Parrsboro' after a short time. I never inquired further about it, and it has never come to my notice. The mass of the people seemed determined to put it down.

34167. Was the one who sold to the children a man engaged in the trade?—If my memory serves me rightly, it might have been some such man, but I could not be positive.

34168. What about the difficulty in preventing liquor being carried in?—It is a great seafaring community. There are a great many captains there and they have schooners, and of course they see their friends for a while. A great many of them, as do all sea-men, drink more or less. They would take a bottle along with them and have a time.

34169. Do you think they brought the liquor with them on the vessels?—That seemed to be the way. Any trouble we had about that time arose from that cause.

34170. We have received the deliverance of the Baptist Churches in the Maritime Provinces. Are there any special deliverances from the Baptist Church of this Province?—Yes; it was brought before the Convention annually and this matter was brought before the delegates.

34171. Have you a copy of the deliverance?—Yes. (Appendix 5.)

34172. What is your opinion respecting prohibition; are you favourable to it?—I am strongly in favour of it.

34173. Are you opposed to a license law?—As compared with prohibition, I am.

34174. But as between a license law and untrammelled sale, which would you prefer?—On moral principles it seems to me that the licensing of the traffic is wrong, and although that seems good enough ground to stand on, yet it seems to me that any thing that will lessen the liquor traffic is a good thing.

34175. Then, in principle, you consider the licensing of the traffic is wrong, but you would not favour untrammelled sale?—Yes.

34176. Of two evils you would choose the least?—It seems about on the line of licensing prostitution, as is done in some places south.

34177. Do you think they stand on the same platform?—I could not be induced to license prostitution on any account. This liquor business is a great moral evil.

34178. Have you considered the question of granting compensation to brewers and distillers for loss of plant, in the event of the passage of a general prohibitory law?—I have studied the question as it was brought up in England some time ago. While ther

is the principle of fairness, and I suppose we have to be fair even to those engaged in this business, yet the men entered into a business which has been one that destroys the interests of the country in various ways, and whether in such a case as that, it would be right to make compensation, is a question.

34179. We have heard a witness to-day who declared that, in his opinion, it would be right in case of the passage of a prohibitory law to remunerate those who were licensed, for the balance of the license year?—I have heard that statement made and similar statements made, and I do not know whether if the matter was put before me for my vote, I could say that those people had a right to compensation or not.

34180. Take the matter in this way: A man takes a license from the Government to sell intoxicating beverages for a year. Within six months the Government having expended that fee, closes up his business. Would you in such a case say that the man has not a right to receive compensation?—He went into that business against the wishes of those people, who, in my opinion, have correct views in regard to this matter, and he has injured the community in various ways in the meantime. He has taken money and given no recompense, except in a way that it would injure the community that used the stuff. I am afraid that as regards the liquor men, I would not be willing to give them compensation of any kind.

34181. Have you considered the question of the treatment of the persistent drunkard?—Do you mean anything in connection with the "gold cure" treatment?

34182. I understand that the "gold cure" system is a voluntary matter with a man or his friends?—Yes.

34183. Take the man who is constantly before the police court and sent to jail for short terms of imprisonment, would it not be better to place him in an inebriate asylum, with a view to his reformation and to keep him away entirely from drink?—It is a very hard matter to say what is best in a case of that kind; sometimes the person is interdicted in such a case. I have known cases where that seems to be helpful. But as regards the population scattered throughout the country, this is a difficult matter.

34184. It has been stated in evidence before this Commission that sometimes there are men who do little else than go to the police court and from the police court to the jail and round again. Have you known cases of that kind?—I have not known cases of that kind. Men have told me that when they were interdicted they could obtain liquor whenever they wanted it; at least one man has told me that.

*By Rev. Dr. McLeod:*

34185. Speaking about the license system, and the possibility that you may under some circumstances favour it: is it a fact that you favour it because of the prohibition in the license system rather than the permission that the license law gives any one to sell?—I suppose it is scarcely necessary to answer that question after what I have said. Certainly it can only be that feature of the law which would lead me to look upon it with favour.

34186. Is it a fact that there are certain prohibitive provisions in the license law, and is it that circumstance which would induce you, in the event of not getting prohibition, to favour a license law, namely the amount of prohibition contained in it?—Yes; if I favoured it at all, it would certainly be from that standpoint.

34187. You lived in New Brunswick at one time?—Yes.

34188. In St. John, I believe?—In Queen's County.

34189. What law was in operation there?—The Scott Act latterly. Before that time, there was prohibition under the old law, under the Magistrates I believe. For the last fifty odd years there has been practically prohibition.

34190. You mean the people refused to grant licenses?—Yes.

34191. How did it affect the county, beneficially or otherwise?—Beneficially.

34192. Is Queen's County strong for prohibition?—Yes, in regard to any intoxicants being used there. In travelling in steamboats, I noticed the difference. The river boats generally had a bar. The steamboats in our county were not allowed a bar; there was no attempt to vend liquor there in the summer.

34193. Then the Scott Act, so far as Queen's County is concerned, works well?—It works very successfully. I never saw a man drunk until I was seventeen years old.

REV. W. H. JENKINS.

34194. Then you lived in the rural districts?—Yes.

34195. Of course, there is no drink there?—No.

34196. And no sale?—No.

34197. You have lived only two years in Manitoba, and I understand you have never been in the Territories?—Not particularly. I have been as far as Moosomin on the train, and I heard some comments from people who had been further on the line; but I saw nothing myself. In Cumberland there were some attempts made to sell. We the temperance people, would let them know that sale would not be allowed, and we had no difficulty in putting down the sale.

34198. Have you observed whether there is considerable temperance sentiment here?—Yes; while there seems to be a great deal of drinking among young men, the community is strongly in favour of prohibition. In passing through the streets in the evenings you will see that the bar-rooms are open to the street, and you will see crowds, especially of young men.

34199. This is a country of young men, I believe?—Yes.

34200. Do you think the sentiment in favour of general prohibition is growing?—Yes, although I am not in a position to fully answer that question. The different Protestant churches have a very strong hold on the province and all those denominations are very pronounced in their opinions, with the exception of the Episcopal Church, and I am not in a position to know anything in regard to it, although I know that some of its leading members are strongly in favour of temperance.

*By Judge McDonald :*

34201. I am a member of the Episcopal Church, and I hope in using the term, "some of its leading members are in favour of temperance," you did not mean to say that the Church of England as a whole is not in favour of temperance. Do you not mean in favour of prohibition?—It was on account of my not knowing the views of the other part.

34202. It is not a fact that the term that you meant to use was prohibition; or are prohibition and temperance with you interchangeable terms?—I will put the word prohibition there. I did it in my own mind when I spoke. I do not wish to make reflections on other communions in regard to which I am not in a position to say who might and who might not be in favour of prohibition. I would be very sorry to speak in regard to that matter; but when speaking as I do now, I want to speak gravely.

ALFRED S. BOISSEAU, of Brandon, hotel-keeper, on being duly sworn, deposed as follows:—

*By Judge McDonald :*

34203. How long have you resided in Manitoba?—Twelve years.

34204. How long have you lived in Brandon?—Ten years.

34205. Where did you live before?—At Ottawa.

34206. When you came first to Manitoba where did you stop?—At Winnipeg

34207. Did you go to Winnipeg from Ottawa?—Yes.

34208. Did you keep a hotel in Winnipeg?—No, but I was in the hotel business.

34209. Were you employed in the same business in Ottawa?—Yes.

34210. And in Brandon you are also in the hotel business?—Yes.

34211. Take the first question as to the habits of the people here: have you noticed any change in the social habits of the people of the city so far as regards drinking intoxicating liquors as a beverage?—They have greatly improved since I came here. The habits are certainly better than when I came here first.

34212. You have lived under the Manitoba License Act I suppose?—Yes.

34213. What is the amount of fee you have to pay?—The fee is altogether about \$250 a year.



34214. Have there been from time to time amendments made in the Act since you came here?—I believe it has been amended several times since I have been in the business.

34215. Have you been able to observe the provisions of the Act?—Yes.

34216. Have you reason to believe that there is any illicit sale in Brandon?—I believe there is not.

34217. So far as you are able to judge, and from your experience of liquors furnished by hotels and licensed places, are they of pure character or adulterated?—I believe they are pure.

34218. I suppose you do not import any liquors from Europe yourself?—No; I take liquors in bond here, out of the original packages from the old country.

34219. Do you get any original old country packages?—I get them from the wholesale dealers in Winnipeg and Brandon.

34220. From your experience, do you favour the use of light wines and beers in preference to the heavier liquors, and do you encourage the use of them?—Of course if one or the other class has to be done away with, certainly light wines and beers are better for the people, if they will only come down to them.

34221. Have you seen anything of the operation of a prohibitory law?—No.

34222. Do you consider such a law to be practicable and capable of enforcement?—I do not, conscientiously speaking.

34223. Have you considered the question of high license: do you think it would be advantageous to increase the amount paid for license and make the number of places where liquor is sold very small?—Yes, and I suppose it could be practically enforced.

34224. And action should be taken to see that no illicit sale is taking place?—Yes.

34225. In case of the passage of a general prohibitory law, do you think that brewers and distillers should be remunerated for their plant which would be rendered useless?—Decidedly.

34226. As an hotel-keeper, can you tell the Commission how the adoption of a prohibitory law would affect your business? It is stated that hotel men are unable to furnish their guests with meals, unless they have license to sell liquor; and on the other hand, it is contended that this is not a good system, that each person should pay a proper amount for his meal, and they in some cases get it for much less than it is worth. Speaking as a hotel-keeper, what is your view of this matter?—I would certainly say that the provision department does not pay and you have to depend on the other department, and it is necessary to have that department in order to keep up a good house. If you could get higher prices, of course that would be a different question. I may say, however, that in my experience the provision and boarding department is, as a rule, run at a loss.

34227. What are the points of difficulty about it?—I do not think the people wish to pay proper prices.

34228. Is it a question of not knowing how many to provide for?—No.

34229. Knowing the supplies required and knowing how many to provide for and having procured the supplies, do you not charge enough?—It is all right about charging, but the difficulty is to get the price. You cannot obtain over a certain price, and it must be the popular price.

34230. Then the price is not sufficient to enable you to run the house?—Quite so, taking the boarding department, the rent and the other expenses. You must have profit from some department of the business, and the hotel-keeper obtains it from the bar.

*By Rev. Dr. McLeod:*

34231. Do you mean that people who do not go to the bar do not pay for what they get?—I certainly do.

34232. Then why do you not make them pay for their meals?—They will not pay for them.

34233. There is, I suppose, a certain price over which the people will not go?—It is the popular sentiment, I suppose.

34234. Do you refer to total abstainers?—Where you would get one to pay ninety-nine would limit themselves.

ALFRED S. BOISSEAU.



34235. Taking total abstainers who are patrons of your hotel: out of a certain number of guests there will be a proportion who do not patronize the bar?—I am taking that department as against the other departments.

34236. Do you keep separate accounts for them?—Certainly.

34237. Then you know what are the receipts and expenses of the hotel proper, and what are the receipts and expenses of the bar proper?—Yes.

34238. And you know that the hotel proper does not pay of itself?—Yes.

34239. And what part of the profits are obtained from the bar?—The receipts of the bar go to help to make up the difference.

34240. Are there no hotels without bars that pay; what hotels are they?—You cannot show me a single one.

34241. You have stated that there is no illicit sale in Brandon?—I believe so.

34242. Do you think the licensees sell after hours and on Sunday in Brandon?—No, I do not.

34243. Do you believe that prohibition would not be practicable?—As long as liquor is manufactured, it cannot be prohibited.

34244. The prohibition question means the prohibition of the manufacture, importation and sale of liquor?—You cannot legislate in favour of one-half of the people and against the other half. Such a thing is against the freedom of man. My impression is that you cannot legislate as to what we shall do. I believe in moral suasion. I think it would do more good for temperance people to establish such an institution as that at Dwight than all the talk of the temperance societies.

34245. Then, you think it is well to keep a business established to produce men to go to an institution like the Dwight Institution?—It is not necessary that people should do so. If people make themselves drunkards, there should be places to which they could be sent.

34246. Supposing the Manitoba Legislature next session should enact a prohibitory law, would it be wrong?—No, for they have a perfect right to legislate a wrong.

34247. And you do not consider that it would be wrong?—It would be an injustice to some people. I do not think the plebiscite was a fair vote of the people. Why I say so, is because I have heard hundreds say that they would not vote as they did if another vote was taken.

34248. There was a majority of 12,000 given in favour of prohibition?—If that vote were taken again, the result would be different; a great many did not understand what they were voting for.

34249. Suppose the majority of the people desire the removal of the license system, do you think it is right to establish a license system against their will?—If a prohibitory Act were passed by the Legislature, it would be supposed to be all right, but I do not think that such an Act could be enforced.

34250. Why not, if the whole of the people desired such a law; would not the people obey it?—They would not.

The Commission adjourned, to meet at Regina, N. W. T.



## MINUTES OF EVIDENCE.

### NORTH-WEST TERRITORIES.

REGINA, October 31st, 1892.

The Royal Commission on the Liquor Traffic met here this day.

*Present :*

JUDGE McDONALD.

REV. DR. McLEOD.

JUDGE McDONALD, in opening the proceedings, said : Three of the Commissioners are unable to be present. Sir Joseph Hickson is unavoidably detained in Montreal ; Mr. Gigault, Deputy Minister of Agriculture for the Province of Quebec, is also detained by his departmental and other duties ; and at the last moment Mr. Clarke of Toronto, a member of the Ontario Legislature, is detained, and is unable to join us on this tour, as he expected to do. The Rev. Dr. McLeod and myself will proceed with the investigation in the North-west Territories, and will examine such witnesses as come before us. We will follow the rule we have hitherto pursued of calling as the first witness the Mayor of the town and then other official witnesses.

HON. HUGH RICHARDSON, of Regina, Senior and Presiding Justice of the Supreme Court of the North-west Territories, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

34251. How long have you resided in the North-west Territories ?—Over 16 years.

34252. During that time have you resided in any other place than Regina ?—My first six months were spent at Fort Pelly which was the seat of government in 1876 and 1877. From 1877 to 1883 I was at Battleford, which was the seat of government ; from 1883 I have been in Regina.

34253. You came from Ontario, I suppose, in early days. From what county ?—From Oxford.

34254. In that county in those days, I suppose, a license law was in force ?—Yes.

34255. Have you had any experience of a prohibitory law except in the North-west Territories ?—No.

34256. When you first came to the North-west Territories, what system respecting the sale of liquors was in force ?—Limited prohibition. We had limited prohibition up to quite a recent date.

34257. Was limited prohibition the permit system ?—Was that system in force when you first came here ?—Yes.

34258. Were permits granted by His Honour the Lieutenant-Governor ?—Yes.

34259. So far as your experience goes, how did you find that system work ?—I thought it worked very well.

34260. Did you see much drunkenness?—No. I ought to explain to the Commission that, excepting through my official duties I have had very little experience and have been very little over the Territories, and I have not had the opportunity that some others have had of noticing those matters.

34261. No doubt you have had experience of the practical working of the system?—To explain myself more clearly, I should perhaps state that I have hardly been into a hotel, restaurant or saloon, and know nothing of their working. For a few weeks I boarded at a hotel here, when there was no other place to go to; but previous to 1883 there was no such thing as an hotel in the country, or in that part of the country in which I was then living.

34262. You had, then, to get accommodation where you could?—Yes, generally on the prairies in travelling.

34263. Did parties in those days bring liquor from the older Provinces here?—Very little.

34264. I suppose they got liquor in under the permit system?—Yes, generally from Winnipeg.

34265. Do you know anything as to how the law worked near the boundary line between the United States and Canada?—I have had very little experience, with the exception of travelling on the railway. I know very little about the south-west portion of the country, and it would be better for me to explain what part of the country I do know, and that country we take in is from the present line of the Canadian Pacific Railway, 300 miles west up to Edmonton, taking across the country. I know nothing of the Calgary country.

34266. Have you studied the question of prohibition?—Very little.

34267. Have you considered the question whether in case of the enactment of a general prohibitory law, it would be just and proper to grant compensation to brewers and distillers for loss of plant, etc.?—No, I have not.

34268. Do you consider yourself as qualified to give an opinion on that matter?—No; I have not had an opportunity to inform myself.

34269. Taking your experience of the system under permits down to when the present system came into force, have you found any change in the habits of the people?—There has not been any time to observe any change during the past few months.

34270. Then you have not noticed any difference?—I have not noticed any difference, but I have not been in the way of observing any.

*By Rev. Dr. McLeod :*

34271. I think I understood you to say that limited prohibition worked very satisfactorily you thought?—Yes; I think so up to the last few years.

34272. Have you no definite idea as to what it was like in late years?—Only what I have heard from hearsay. I have heard complaints of the system being abused and grossly abused.

34273. That is the permit system?—Yes, the permit system. Also, that it was not fairly carried out.

34274. Was it apparent to you, so far as your observation went, that there were large quantities of liquor brought into the Territories during late years?—I think so.

34275. And consequently more drunkenness and more disorder?—I have not had an opportunity, as I have already explained, of meeting much drunkenness; but it is an unmistakable fact that the quantities of liquor brought in very considerably increased, and the population had not so increased.

34276. You mean that the ratio of increase in liquor was altogether beyond the increase of population?—I would rather qualify that answer by saying that I had no opportunity of studying that ratio.

34277. I have here some returns which show that in 1883 there were brought, under permit, into the Territories, 6,736½ gallons of liquor; in 1890, 153,670½ gallons, which would be an increase of 35 per cent, while the population assuredly did not increase that rapidly?—No.

34278. Perhaps two and a half times?—You must bear with me when I say I have not armed myself with those figures, and have no knowledge of the quantities.

HON. HUGH RICHARDSON.



34279. Did you notice an increase in the disorders, in so far as those matters come under your knowledge, during later years?—No. I think during the 16 years with which I had to do with criminal offences, liquor did not form an element in more than ten, or at the outside, twenty cases.

34280. Was that during the whole of your judicial experience?—Yes; and none of those cases were of a serious nature.

34281. You think the time has not been sufficient to deter me, or at least for you to determine as to the results of the working of the present license law, as compared with the prohibitory law in the Territories?—When I say so, you must remember that not a single case has come under my notice of a criminal nature in which liquor has formed an element.

34282. I was about to suggest that your Honour should give a brief outline of the provisions of the license law?—I have not read it. Three of the members of the Bench were members of the Assembly, under the style of experts, but there was such an outcry against having them, without their being elected, that Parliament in 1890 removed them and now the body is entirely legislative. Since then the Legislature has held one session and passed a law which has just come into force. So far I have not had occasion to read it; but I shall have occasion to read it, for cases will come before me in the nature of appeals.

34283. Speaking of criminal cases, you say that none have come under your notice of a serious character?—No, not of a serious character.

34284. Have any of them had the element of drink in them?—Yes.

34285. Do you refer to cases spread over the years or do you refer to some particular year?—They have been during the six years I have been here.

34286. That is since 1883?—Since 1883, or rather the nine years I have been here, I should say. I think I might put them within five or six years.

34287. That is you mean during the later years?—Yes.

34288. So they have really occurred since 1886 or 1887?—I think so. Of course, if I were asked to give a definite answer, I might furnish the Commission with more accurate data.

*By Judge McDonald:*

34289. I understood you to say that the Assembly held but one meeting?—Yes, only one session; at least one particular session was abortive as far as legislation was concerned.

34290. That is since the new legislative system came into force?—Yes.

34291. And the Legislature is made up of representatives of the people all over the country?—Yes.

34292. The Legislature at its first meeting, then, changed the law from the old system and brought in the license law?—Yes.

34293. Which license law is now in operation?—Yes.

*By Rev. Dr. McLeod:*

34294. Do you recollect whether the question of prohibition or license law was the chief issue at that election?—I would not take it upon myself to answer definitely that question.

HAYTER REED, of Regina, Indian Agent for Manitoba, Keewatin and the North-west Territories, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

34295. How long have you resided in the North-west Territories ?—Since 1883.

34296. Have you resided 11 that time at Regina ?—This has been my headquarters.

34297. How long have you been Indian Commissioner ?—Since 1883, at the time Mr. Dewdney was appointed Governor.

34298. What position did you occupy previous to that time ?—I was Assistant Commissioner.

34299. You came from the Province of Ontario, I believe ?—Yes.

34300. Have you had any experience of the working of a prohibitory law in any other country than in the North-west Territories ?—None whatever.

34301. You have seen the North-west Territories under a permit system and under the license law since it was in force, comparatively speaking ?—Yes.

34302. It came into force last May, did it not ?—Last May.

34303. How did you find the prohibitory law work, according to your experience ?—It has worked very well ; latterly, not so well, however.

34304. What was the trouble ?—There were too many people coming into the country, and liquor was obtained too easily.

34305. Did you go south of the railway, towards the boundary of the United States, in the discharge of your duties ?—Yes.

34306. How did you find the state of things in that section of the country, towards the boundary of Canada and the United States ?—It was pretty bad there ; I suppose as bad there as any place else. The law was not adhered to there.

34306a. How was liquor supposed to be got into the country ?—It was smuggled in from the United States to that section.

34307. We have heard that there was a large increase in the number of permits issued latterly. Was your attention called to that, and were you aware of the fact that the number of permits issued gradually increased ?—I noticed it.

34308. Do you know whether the increase in the number of permits issued, and the consequent increase of liquor brought into the country, tended to lessen the quantity smuggled into the country ?—Naturally so.

34309. Do you know anything of the quality of the liquor smuggled into the country ?—It was very bad ; the liquor smuggled in from the United States was particularly bad. The liquor got from British Columbia was the same kind of liquor that you would get at the present time.

34310. Was it of the ordinary class used in the country from which it was brought ?—Yes.

34311. Was the class brought in by permits better than the class smuggled in from the United States ?—Yes.

34312. Was it a similar class of liquor to that brought in under the license law ?—It is better now.

34313. Why ?—The liquor brought in under the license law is better than that which was smuggled in from the United States.

34314. Have you noticed, since you came into the country, whether there has been a change in the social customs of the people in regard to the use of intoxicating beverages ?—So far as my experience goes, I think in some cases people drink less, and in other cases more.

34315. Have you noticed whether the present law, since it has come into force, has been satisfactory or otherwise, I refer to the license system ?—In a measure it has been satisfactory. I think if it were strictly enforced, it would be satisfactory.

34316. Have you studied the question of prohibition ?—To a very minor extent.

34317. Judging from the experience you have had of it in the North-west Territories, do you think a general prohibitory law for the whole of Canada could be enforced ?—It could not.

HAYTER REED.

34318. Taking our country as a whole, extending as it does from the Atlantic to the Pacific, with a long coast line in the Maritime Provinces, and with Prince Edward Island completely surrounded by water, with the gulf of St. Lawrence running up into Quebec, and with the long boundary line of the United States, and then the coast line of British Columbia on the Pacific, do you believe it would be possible to enforce a general prohibitory law and prevent smuggling of liquor?—No; I am certain it could not be done.

34319. Have you considered the question of granting compensation to brewers and distillers in case of the enactment of a general prohibitory law?—I have not.

34320. As a matter of justice, should they receive compensation for their property and plant in case of the enactment of such a law?—I think so.

34321. Do you know if there have been cases of illicit distilling in the Territories?—There have been several cases.

*By Rev. Dr. McLeod:*

34322. Are the Indians under your charge particularly affected by drink, and have they been particularly affected by liquor brought into the country?—Yes. We recently have had more trouble than before.

34323. You have taken extra precautions under the license system, I suppose?—Yes.

34324. Do you find that when the Indians are in the vicinity of drink, or when drink is introduced into their midst, they are more affected by it than are whites?—They have a stronger desire for liquor. They are particularly weak under such a temptation. You may tempt an Indian in any other way and he may resist, but if you offer him liquor he gives way immediately.

34325. So you are obliged to keep liquor away from the Indians?—Yes.

34326. I judge you found it more difficult under the permit system than under the present license law?—Scarcely so, because there was not as much liquor in the country, and the working classes did not get as much liquor as they do now. The people who come more in contact with the Indians did not get as much liquor as they do now.

34327. Did you find that prohibition was fairly enforced under the old system?—It was in the first years, but not in the later years at all.

34328. What was the reason of the laxity?—It rested with the people in the main; it was because the people, law abiding in every other particular, would not see that the law was enforced.

34329. Are we to understand that the people who came in earlier years were anxious to see the law enforced, but that those who came in later years were indifferent in regard to it, and indeed were opposed to it?—Both. The people who were anxious to see the law enforced in early years, would not hesitate in later years to take whisky, even if they knew it had been smuggled.

34330. Speaking of the change from prohibition to license: do you understand that the people's representatives had, by the mandate of the people, been instructed to pass a license law? Was that their instruction?—In some cases I believe it was, but I do not think that that was the general platform.

34331. Was that the chief issue at the elections?—I think not; of course I did not take an active part in the elections.

34332. I think you said that you thought the license law would do very well, if it was enforced. Have you reason to believe that it is not strictly enforced?—I think that the law has been evaded.

34333. It was evaded as the prohibitory law was evaded more or less, I suppose?—Yes.

34334. Of course only two months have elapsed since the law came into operation, and I suppose you have not had an opportunity to very fully or carefully observe its effects yet?—I felt in regard to the license law if it were strictly enforced and if it were a strict law, it would meet with the sympathy of the people at large.

34335. Do you understand that the license law is a strict one?—I believe it should be so.

34336. Why is there non-enforcement; who is responsible, and what is responsible for the non-enforcement of the law?—That is more than I can say. I should not like to throw blame on any one for the law not being carried out in its entirety.

34337. Do you think there is any probability that it will be carried out as years go on?—I fancy so.

34338. What would lead you to that impression: if there is non-enforcement now, how do you reach the conclusion that there will be better enforcement as time goes on?—Because the public seem to be advancing towards that now; if you read the newspapers you will find that out. Attention is being directed to the fact that the law is not being enforced as it should be.

34339. Are the complaints now made similar to those made in regard to the prohibitory law?—No. The feeling appears to be that a number of changes are necessary in the law.

34340. Were no changes required before; were they not required because of the non-enforcement of the prohibitory law, or of breaches of the enforcement of it? Did the people want to change the prohibitory law because it was so rigidly enforced, or because under the permit system it was not enforced at all?—No, it was because the people felt that it was not workable under present circumstances, and that the circumstances had changed so that it was not workable. That was the feeling so far as I could make out.

34341. For what reason or on what principle were permits granted under the old law?—The original intention, as I understood it, was that they should be granted for medical purposes and for domestic purposes.

34342. If it was the intention of the law that permits were to be granted for the introduction of liquor for medical and domestic use, why did the number of permits increase from 6,736 in 1883 to 153,670 in 1889?—It would be very hard to explain, because the power was in the hands of one or two men to authorize liquor being brought in.

34343. You will observe that this is a far greater increase as regards the number of permits than the increase in population?—Most decidedly.

34343a. The quantity in 1883 is multiplied by 25 in 1890 and the population increased two and a half times?—Yes.

34344. The Commissioners are desirous of ascertaining the reason why, if permits were originally granted for medical and domestic purposes, such a marked increase occurred in the quantity of liquors permitted to be brought into the country?—I suppose it was owing to the fact that the Governor, who had power to issue the permits, thought it better to issue permits rather than see so much smuggling; I suppose he was actuated by that motive.

34345-46. You think smuggling increased as permits were limited?—I think so; I know it decreased as permits were increased.

34347. Is that according to official figures?—I do not mean to say in the same ratio.

34348. Are there official figures to show that smuggling decreased as permits were increased; or is that a fact we have to assume?—I do not know that there are figures to show it.

34349. Do you know whether those permits were for personal use or for sale?—They were supposed to be simply for domestic use, not for sale; I now refer to liquors beyond the four per cent beer.

34350. That arrangement came into force, I believe, in 1889?—Yes, about then.

34351. Then the permits were for quantities that might be sold?—Yes.

34352. Do you regard that as carrying out the law in its entirety and according to its spirit, or was that a very loose interpretation of the law and lax administration of it?—I fear that I cannot answer that question, because I favour the provisions of the law in that regard.

34353. As Indian Commissioner, however, you are clear that you have had to take extra precautions to prevent the Indians getting liquor, on account of the fact that there is now licensed sale throughout the Territories?—Yes, simply on account of the greater quantity of liquor coming into the country, and thereby it gets into the hands of the Indians.

HAYTER REED.



*By Judge McDonald :*

34354. Have you any reason to believe that the person who issued the permits was governed by the wishes of the people?—He might have been, and he must have been, or he would not have issued them.

34355. When legislative government became possible it carried out the wishes of the people by enacting a license law?—I think so.

*By Rev. Dr. McLeod :*

34356. How would the issuer of permits know the wishes of the people,—simply by applications being made to him for permits? That would be the only means of judging.

*By Judge McDonald :*

34357. Was it noticeable under the old system that persons would get permits, and would obtain large quantities of liquor, the liquor being consumed within a very short space of time by the people?—Yes.

34358. Would there be bouts of drinking at the time in different sections of the country?—Yes, sometimes.

*By Rev. Dr. McLeod :*

34359. Have you observed whether there has been less drinking since the inauguration of the present license law than there was previously, or more?—I think that certain classes of the people who were unable to get liquor under permit are able to get it freely now, I do not think they drink as much now as formerly; but those who were denied the privilege of getting it readily before, drink more now.

34360. So taking the whole consumption, there is no less drinking than before, taking the several classes together?—I do not know.

34361. Speaking about the increased issue of permits, are you aware whether there were any public meetings held throughout the Territories demanding larger liberty?—In what direction?

34362. In regard to the introduction of and the consumption of liquor; in regard to a more liberal interpretation of the prohibitory law?—No, I cannot recall to mind any such meeting.

34363. Meetings protesting against the laxity in the administration of the permit system?—No; except that the people were demanding through the press a more rigid enforcement of the prohibitory law. I heard a desire for a more reliable law.

34364. Do you know whether the people asked to have a plebiscite on this occasion, a yea or nay vote as between prohibition and license?—I have heard it spoken of, but I do not think any formal request was made in any way.

34365. And the charge made that the law was not fairly carried out?—No; it was spoken of frequently.

DANIEL MOWAT, M.L.A., of Regina, Merchant, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

34366. Do you hold any public position?—I represent this constituency in the Local Legislature.

34367. What is the name of the constituency?—South Regina.

34368. How long have you resided in the North-west Territories?—About 12 years.

34369. Have you resided in Regina all that time?—I have been about 10 years here.

34370. Where did you live before that?—In Manitoba.

34371. How long have you been a Member of the Legislature: have you been a member since the first?—About a year now.

34372. From what part of the country did you come originally?—From the city of Ottawa.

34373. Have you had any experience in any country excepting the North-west Territories?—No.

34374. How did you find prohibition work in the Territories; did it work successfully?—It worked fairly well up to the time of the beer permits.

34375. You now refer to the four per cent beer permits, I suppose?—Yes.

34376. Do you know whether liquor was obtainable in the country without those permits before that time: was it brought in in any shape?—Yes, it was smuggled in.

34377. Do you know anything of the quality of the liquor brought in?—No. I think the quality was fairly good, so far as I was a judge.

34378. Were you a Member of the Legislature when it passed the license law?—Yes.

34379. That is the law at present in force?—Yes; it came into force on 1st May.

34380. How has it worked since it came into force?—I think it has worked fairly well, so far as I can judge, up to the present time.

34381. In case of the passage of a prohibitory law, a law prohibiting the manufacture, importation and sale of liquor for beverage purposes, do you deem it would be right that brewers and distillers should receive remuneration for their plant and property which would be rendered useless?—Yes; I think they should receive compensation to some extent, but I do not say to the whole value.

34382. Have you found a change from the time you first came to the Territories until the time when the permits were granted and increased, as regards the quantity of liquor consumed in the community?—The only increase was in accordance with the population that came in.

34383. It has been stated that the increase in liquor was much larger than the increase in population?—Yes.

34384. It has been suggested that such being the case, at the same time there was a decrease in the quantity brought into the country, smuggled in fact, and that was the reason permits were increased. Have you any information on that subject?—I am not prepared to give an answer.

34385. You have no knowledge of its operation?—No knowledge whatever.

*By Rev. Dr. McLeod:*

34386. Did you observe whether there was any great increase in the quantity of liquor consumed after the four per cent permit was introduced?—I think there was a greater increase in smuggling whisky after the four per cent beer was allowed.

34387. That was in the smuggling of whisky?—Yes; I think more whisky was smuggled in.

34388. Was there any increase in drinking after the four per cent beer plan was adopted?—I think there was.

34389. You have already stated that there was an increase in the smuggling of whisky. Would that seem to indicate that the permission to increase the quantity of beer did not diminish the quantity of whisky consumed?—I think not.

34390. Have you noticed under license whether there is an increase or decrease in the consumption of liquor?—I think there is more liquor drunk than there was before.

34391. You are a Member of the Legislature, and you were so when the license law was passed. Did you understand at the last election, when you were elected, that throughout the province the issue was between license and prohibition: was that the chief issue?—No, I do not think it was.

34392. Do you know whether there was any urgent attempt made and any formal request made to have a plebiscite on that occasion?—No; I do not think that there was any formal request made. There was some talk of it; one or two of the candidates said they were bound in favour of a plebiscite.

34393. I mean previous to that. I have before me a report of the North-west Territory Alliance meeting held in November, 1888. I notice that a memorial was

DANIEL MOWAT.

drafted, which I presume was presented to the Executive Committee or to the Dominion Government by the Executive of the Alliance; and one of the sections says:—

“Therefore, we, your memorialists, would earnestly pray that Your Excellency in Council may see fit to direct that on the same day on which the elections shall be held for the North-west Council, a plebiscite may be taken as between license for the sale of intoxicating liquors and the prohibition of the manufacture, importation and sale of intoxicants, except for medicinal, scientific and sacramental purposes; and we most strongly protest against the result of any other than a direct vote upon this subject being taken as final and decisive.”

34394. Do you consider that that represents the feeling of the people throughout the whole Province?—I do not. I think it just came from Regina.

34395. I notice in an extract from a newspaper of November 16, 1888, that at a public meeting held in Regina, at the Court house, the North-west Legislature was asked to submit the matter of prohibition *versus* license to the people at the earliest possible date, and the Dominion Government was recommended to provide such legislation by the succeeding session as would carry into effect the wishes of the people as expressed by such vote. Was that a public meeting of the citizens of Regina?—I have no recollection of that meeting being held, nor was I present.

34396. Then I see a memorial was presented to Governor Royal along the same line, and this memorial starts out with:—

“We your memorialists would hereby most respectfully pray that permits to sell be discontinued until the action be definitely settled by the voice of the people, and your petitioners will, as in duty bound, for ever pray.”

—I have no recollection of those meetings.

34397. I would not expect that you would be at a public meeting of this kind, furthering prohibition?—Quite so.

*By Judge McDonald:*

34398. You did not know of any such meeting as that being held? The announcement reads to this effect: “A meeting of those interested in furthering the cause of prohibition will be held on Tuesday, at 10 o'clock.” Was that the best hour to obtain a large attendance of citizens? Is it not a fact that large gatherings are generally held in the evening?—Yes.

*By Rev. Dr. McLeod:*

34399. Was there any feeling among the people, whether few or many, much or little, or in any way, in favour of having a plebiscite? I do not ask if four-fifths, or nine-tenths, or one-ninth, or one-tenth of the people felt so; but as a whole were they in favour of a plebiscite, and did they not memorialize the Governor and the Dominion Government to provide for taking a plebiscite here? Do you know whether there was any popular feeling in favour of a plebiscite?—I have an indistinct recollection of signing some petition, but whether it was for a plebiscite or on other lines of temperance I cannot say; I forget now.

34400. There was a petition circulated which obtained 2,143 signatures of electors in a very short time?—Yes.

34401. I understood you to say that you are interested as an active participant in the last campaign, and that, taking the North-west Territories throughout, the chief question before the electors was not one as between license and prohibition?—I think not.

34402. That is to say, that the members were not sent to the Legislature to do so and so?—No.

34403. I think you said also that some members had got some instructions during the campaign in regard to that subject?—Some did.

34404. Were you, as an elector, favourable to a plebiscite?—I was, and I voted for it.

34405. Do you think the experience, although only for a short time at Regina, of having the Territories generally under license, has demonstrated that license is better for the Territories than the old prohibition?—I am not prepared to say; but personally I favour the old system, and I would rather have prohibition than license any day.

*By Judge McDonald :*

34406. So you are favourable to prohibition?—Not on a small scale ; I should prefer it to be a Dominion matter.

34407. You think it could be more easily enforced throughout the Dominion?—I think so.

34408. You are not afraid of such a law failing, through illicit sales?—Not in these Territories.

34409. Throughout the Dominion as a whole?—Shut up the distilleries and close the Custom-houses, so far as the importation of liquors is concerned, and liquor could be easily kept out.

34410. You think that that could be done, in spite of our long sea-coast and vast boundary between the United States and Canada?—I think so.

34411. Do you think this could be done with the force of officers at present in connection with the Revenue and Customs service?—I think fewer officers would be required.

34412. I observe from the paper from which the Rev. Dr. McLeod read, that this Convention, of which you say you have no recollection, was held under the auspices of the North-west Prohibitory Alliance, and delegates were present from other places, and the committee reported that they had waited upon Lieutenant-Governor Royal, and the Governor declared that his action would be chiefly governed by the action of the Legislature. How did that action show itself when the Legislature met?—Legislation was passed in favour of a license law.

34413. The Legislature is made up, I suppose, of men from all sections of the Territories?—Yes.

*By Rev. Dr. McLeod :*

34414. The Legislature, I suppose, refused a plebiscite?—Yes.

34415. Was it because the Legislature was opposed to that, or because at the time there was something like a deadlock between the Governor and the Legislature?—I think it was because the Legislature was opposed to the action. The deadlock had nothing to do with that action.

ROBERT H. GORDON, of Regina, Clerk of the Legislative Assembly and Secretary to His Honour the Lieutenant-Governor, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

34416. Do you hold any other official position than that of Clerk of the Legislative Assembly and Secretary to His Honour the Lieutenant-Governor?—I am also Queen's Printer.

34417. Are you Clerk of the House, also?—Yes.

34418. Is there any other clerk?—No other ; the bills are framed by members mostly.

34419. How long have you resided in the North-west Territories?—Since the fall of 1885.

34420. Have you resided all that time in Regina?—Yes.

34421. Did you originally come from one of the other provinces, or from England?—I came from England.

34422. Have you had any experience of prohibition in any other country than the North-west Territories?—No.

34423. Judging from your experience here, have you found the law well enforced?—I did not find the permit system well enforced ; I found it impossible to enforce it, in my experience.

DANIEL MOWAT.



34424. You mean that any system of granting permits could not be carried out?—There was difficulty in granting permits judiciously.

34425. What were the particular difficulties in the way?—It was impossible for any person, including the Lieutenant-Governor, who had the whole power of granting them, to distinguish as between the different applicants throughout the country, those who should receive permits, and others who should not.

34426. Did applications come by mail?—Nearly always. The Governor tried to get the applicants recommended as best he could.

34427. Did the difficulty increase as the population increased?—Yes, and as new people come into the country.

34428. In regard to the number of permits issued and the quantity of liquor coming into the country, did the increase or decrease of permits affect the quantity of liquor smuggled in?—The increase in the number of permits issued was made with a view to decreasing the quantity of liquor smuggled in, and I suppose it had that effect. Of course, I do not know it personally.

34429. What was the quality of the liquor smuggled into the Territories?—I have always understood that it was of the very worst kind.

34430. Was it found under the limited permit system that when people got permits and brought in liquor, there was drinking to excess, large quantities of liquor being drank within a very short time?—I have understood so.

34431. We have been informed that when liquor came in under permit, the man holding the permit would call his friends together, and they would drink the liquor until it was all consumed?—That was very much the case.

34432. Judging from the experience you have had in this country, do you believe that it would be practicable to enforce a general prohibitory law?—I do not think so.

34433. Taking Canada as a whole, taking its geographical position and the difference of races here, do you think it would be practicable to enforce prohibition in Canada as a whole?—I do not think so, but my experience does not extend beyond the North-west Territories.

34434. But you have had changes of condition in the Territories?—Yes.

34435. Then the Legislative Assembly at its first meeting after it was newly constituted, legislated on this question?—The first Assembly was in 1888; this was the second one.

34436. The second one passed the present license law?—Yes.

34437. Have you as a citizen observed the working of that law?—Yes, as a citizen of Regina.

34438. How has it worked?—It has worked well; but I might say that its working has not come officially before me.

34439. Taking your experience of the working of prohibition and license, which is preferable?—As a citizen, I think the license law.

34440. Do you think it is more practicable to enforce a license law?—I think so.

34441. In case of the passage of a prohibitory law for Canada, a law prohibiting the manufacture, importation and sale of intoxicating liquors for beverage purposes, would you deem it right that the brewers and distillers should receive compensation for plant and property which would be rendered useless?—I have not considered that part of the question, but it seems reasonable that they should be remunerated to some extent at all events.

34442. What in your view is the effect on a community of maintaining a law on the statute-book that is flagrantly and persistently violated; is the effect for good or evil on the public conscience?—I think the effect is evil. Any law that is persistently violated must have that tendency.

34443. Have you noticed whether there has been any change in the social customs of the people in regard to the use of intoxicating liquors as beverages, since you came into the country; or do you think the social customs continue as they were? I mean, do people use less liquor at the table in a social way?—I have not noticed such change. I think since the license law has come into force, liquor is used more freely.

*By Rev. Dr. McLeod :*

34444. Can you tell the Commissioners on what conditions the permits were granted; what was the standing condition on which a permit would be issued?—It was a matter lying entirely within the discretion of the Lieutenant-Governor. He issued permits to any respectable parties for medical or domestic use.

34445. Was he supposed to have knowledge of the persons who made applications and to whom he granted permits, and had he to determine from that knowledge whether he should grant the application or not?—If His Honour had no personal knowledge of the party, he obtained a recommendation.

34446. Was a recommendation always necessary to accompany permits?—I think so, unless the individual happened to be known personally to the Governor.

34447. Did you find that the applications for permits were steadily increasing?—Yes, steadily.

34448. Were you the officer who issued them by direction of His Honour?—The Governor signed them, and I countersigned them.

34449. Then you issued them under his direction?—Yes.

34450. How long was a permit supposed to last, simply until it was filled?—Do you mean how long a person might have liquor in his possession?—The time was unlimited.

34451. What was the quantity for which permits were granted?—Two gallons was the usual quantity, and then to respectable parties who were known to the Governor the quantity increased up to five gallons, and I have known His Honour give even large quantities.

34452. Then the quantity was at the Governor's discretion?—Yes.

34453. Was there no limit by law?—None whatever.

34454. Suppose a man had a permit for five gallons, and six months after or twelve months after it was found that he had in his possession four gallons, would it be assumed that that was part of the original permit, or could he get other five gallons under the same old permit?—He could not get a second quantity on the same permit, because the permit would be cancelled by the police.

34455. Did the permit always accompany the liquor?—Yes; the Express Companies would not bring in liquor except under permit.

34455a. Was not liquor brought in under disguise?—I think it was smuggled in.

34456. The permit being obtained, the liquor was purchased under it, say in Winnipeg, and it was packed in candle or soap boxes and the permit was inclosed. So if the liquor was discovered, the permit would protect it, and if not, the permit would be preserved, and the person could get another lot under the same permit. Was that not the case?—I have heard of it.

34457. Did such cases ever come under your observation to any extent?—I have heard of such cases of goods being opened by the police and the permits being found there.

34458. They would cover the liquors, I suppose?—Yes; but it was manifest what was the intention of having the permits there.

34459. I think the Commissioners have heard, either at Winnipeg or Brandon, this, that a man was charged with selling liquor, that when an examination of his premises was made, the liquor found there was covered by a permit that was nailed against the wall?—No man had a permit to sell liquor except four per cent beer.

34460. Do you know, as a fact, that there was sale of liquor?—Yes.

34461. Sales of liquor brought in by permit?—Yes, I believe so.

34462. Did those permits continue to be issued to persons after it was known that they sold liquor?—No, never.

34463. Did you ever know of a case like this: that a hotel man, who had no right to sell, would get a permit from the Governor for five or ten gallons; then his wife would get a permit later on; then his clerk would get a permit, and so on until the "boots" at last would get a permit?—No, I have never known of a case of the kind.

34464. You have never known of a man, his wife, the clerk and the "boots" in a hotel all getting permits? The issue of whisky permits or spirits to hotel-keepers was very rare indeed.

DANIEL MOWAT.

34465. Did you notice whether after the introduction of four per cent beer, there were many applications made for permits to sell?—Yes; there were many applications for permits to sell.

34466. Do you know whether there was an increase or decrease in the quantity of whisky and spirits consumed under the four per cent beer plan?—It decreased at first, and it was with a view to decreasing the use of spirits that four per cent beer was introduced by the Governor.

34467. I recollect it was put forth at the time as a reason why the introduction of beer should be more general, that it would reduce the consumption of spirits?—That was His Honour's reason.

34468. Did it have that effect?—At first, it did, but afterwards the quantity of spirits came up to nearly what it had been before.

34469. I notice in the return to which I have referred, that the sales in 1889, the first year of the four per cent beer, were 151,639 gallons permitted, and in that year 11,460 gallons of spirits were included in the permits. So there were nearly twice as many gallons of spirits included in the permits during the four per cent beer year, as were introduced in the shape of liquors of all kinds during the year 1883?—I think I may say with respect to that matter that smuggling had gone on to such an extent and had increased so considerably, it was determined to make an effort to stop it, and His Honour thought it would be better to have the use of beer made legal rather than otherwise.

34470. Since the people would violate the law, it was thought better to adopt the law to the people?—That was His Honour's idea, I think—that it was better to have it legal.

34471. I think you said that permits were issued to only two classes: those whom the Governor knew, and those of whom the Governor knew nothing, and whose applications were endorsed by some one he did know or some person of repute?—Yes, some one he knew or knew of.

34472. The increase of liquor permits seems to have been very rapid, so much so that in 1890, 155,670 gallons came in; but prior to the four per cent there were in 1886, 20,000 gallons; 1887, 21,000; 1888, 56,000. How do you account for the jump from 21,000 gallons in 1887, to 56,000 in 1888? Did not the population increase very much?

34473. Not at that rate.—What did you say the quantity was in 1888?

34474. In 1887 it was 21,000 and in 1888, 56,000 gallons?—I took particular notice that very much more liquor did not come in, because in 1887, there was a very large quantity smuggled in, and perhaps in 1888, some came in illegally or else was smuggled.

34475. Have you reason to believe that there was smuggling, or is that a supposition?—I have no accurate knowledge in regard to it.

34476. While there were 56,000 gallons in 1888, the quantity made a leap to 151,000 in 1889. Then, of course, the four per cent was added, making an increase of only 2,000 gallons between that and the next year, which is possibly explained by the fact that the supply had reached its maximum, and perhaps caught up with the consumption of the people?—Indeed.

34477. Have you observed with great care the working of the license law?—I have not.

34478. Do you know whether its provisions are enforced?—I have not been able to form an opinion.

34479. I thought perhaps you had done so, as you thought the law worked fairly well in Regina?—That is so far as my observation goes in regard to the town.

34480. Do you consider that the licensees do not sell after prohibited hours and on Sundays?—I have no personal knowledge.

34481. You are not able to say?—No.

34482. You have said that the old system was not very practicable. Have you formed an opinion as to whether the fault was in the prohibition itself or in the administration of the permit system?—I think the trouble was in trying to effect limited prohibition.



34483. You think it is impossible to enforce limited prohibition?—I think it is an impossibility; it is a most invidious position in which to place any one.

34484. Why do you think the enforcement of prohibition not practicable: please state briefly your reasons?—From my experience of the working of the permit system, and the smuggling that has taken place in the western part of the country from Manitoba to British Columbia.

34485. We have had it in evidence, even this morning, that in the early years, up to 1886 and 1887, prohibition was very well enforced and with very good effects. What arose after that time to make prohibition less possible of enforcement?—The towns increased in size, and sale of liquor began in them, and the smuggling of liquor commenced.

34486. Or was it rather this, that the permits began to increase in number?—The permits began to increase in consequence of the extra demand, and the fact that liquor was being openly sold.

34487. Did you keep a record of the permits issued?—Always.

34488. Would it be too much trouble to give the Commission a recorded list of the permits issued for the last 10 years?—They appear officially in the Report of the Department of the Interior from year to year.

34489. Have you a copy of the report?—Yes. The Governor is bound to make a report every year of the permits issued, and this return has been made ever since the system has been established. I file statement, (Appendix 6); also copy of permit (Appendix 7).

34490. Would those statements in the report be equally official with your record?—They are in the Lieutenant-Governor's report from year to year, and cover the number of permits granted and the quantities applied for.

34491. What was done with the permits when they were cancelled by the police?—They were sent to the Governor's office and kept on file and stored away.

34492. Are there any suggestions you could make to the Commission in regard to the liquor traffic?—I do not know of any.

JAMES C. POPE, of Regina, Chief License Inspector and Assistant Accountant of the North-west Territories, on being duly sworn, deposed as follows:—

*By Judge McDonald:*

34493. How long have you resided in Regina?—Ten years last September.

34494. Have you resided anywhere else in the North-west Territories?—No.

34495. Did you come here from one of the other provinces?—I came here from Prince Edward Island.

34496. Have you held an official position ever since you came to Regina?—Yes.

34497. What was the first position you held?—Assistant Postmaster at Regina.

34498. What other official position have you held?—That is all. Then I took charge of the permit system.

34499. You became Inspector of Licenses when the law was changed?—Yes.

34500. In the discharge of your duties in connection with the permit system, did you travel about the Territories?—No, I just kept to the railway.

34501. Do you not travel about as Inspector?—When there is any occasion to do so, or if there is any difficulty, I take a trip.

34502. Judging from your experience of the working of the permit system and what you have seen as a resident of the North-west Territories, do you believe a prohibitory law, a law prohibiting the manufacture, importation and sale of intoxicating liquors for beverage purposes, could be practically enforced?—No, I think it could not.

34503. In what direction did you find evasions of the law when the permit system was in force: was there any smuggling?—There was plenty of it.

ROBERT H. GORDON.



34504. Do you not know in what form?—In all shapes and ways.

34505. We have heard that liquor was shipped in cases of other goods; was that the case?—Yes.

34506. In barrels of sugar, for example?—Yes.

34507. We have also heard that liquor was brought into the country from the United States?—Yes, it was smuggled over the boundary.

34508. What was the quality of the liquor that was smuggled in?—Of course I can only give you hearsay testimony on that point, but I believe it was very bad.

34509. What kind of liquor was it: spirits or ale?—Spirits generally.

34510. The bulk being small, it could be easily handled I suppose?—Yes; sometimes even car lots would be smuggled.

34511. Was the liquor scattered all over the Territories?—Probably in the Fort Macleod and Calgary districts and in that section more than here.

34512. What are your duties under the license law?—To see that the law is strictly carried out.

34513. Does that include seeing that no sales take place except by persons who are licensed; in other words, that there is no illicit sale?—Yes.

34514. To see that the licensees conform to the requirements of the license law?—Yes.

34515. Are your duties general throughout the Territories?—Yes. Of course I have deputies.

34516. Do you have deputies at different points?—Yes, all over.

34517. Do they receive instructions to see that the law is enforced?—Certainly.

34518. Do you make that your own business?—Yes, to the best of my ability. They are appointed Commissioners; but still they are supposed to see that the law is carried out.

34519. Are they under your direction?—They are; still the Commissioners are supposed to see that the law is carried out.

34520. So far as your experience goes, do you think the license law is well observed?—It is fairly well observed. On one occasion, however, at Prince Albert the half-breeds got liquor and gave it to the Indians. As that matter came under the Mounted Police, we did not take hold until lately; but seeing the police were not intending to deal with it, we issued instructions to investigate the matter at once and take every possible step to suppress the evil.

34521. Who are the deputy inspectors?—Jos. C. Wigmore and Chester Thompson. The Commissioners have been instructed to carry out the law in regard to the Indians. That is the only complaint we have had through the newspapers in regard to Prince Albert.

34522. In the event of the passage of a prohibitory law, a law prohibiting the manufacture, importation and sale of intoxicating liquors for beverage purposes, should the brewers and distillers receive remuneration for their plant and machinery which would be rendered useless?—I think that would be reasonable.

34523. I understand that you come from Prince Edward Island?—Yes. The Scott Act could not be enforced there, or, at any rate, it was very little enforced.

34524. Did you come from Charlottetown?—Yes.

34525. You know that the Scott Act was repealed, and that the present system is neither prohibition or license?—They could not carry out the Scott Act; liquor was smuggled in, and if the people could not get it in any other way they would go round to the back-doors of hotels. I have not been there, however, for thirteen years.

34526. Take the Island with its coast line and the indentations, would you hope to be able to enforce a prohibitory law in that province, a law to prevent the importation and sale?—I do not think so.

34527. You think that under the Scott Act people could get all they wished, and that it was impossible to prevent the use of liquor?—Yes.

34528. I suppose the people got liquor from St. John, Halifax and Montreal, and of course they could keep it in their cellars and use it themselves and give it away to their friends, but they must not sell or keep it for sale. In case of the enactment of a law that would prevent every man obtaining liquor, would you hope to be able to enforce such a law in Prince Edward Island?—No; I think it would be impossible.

34529. Would there be smuggling along the coast and across the straits of Northumberland?—Yes.

*By Rev. Dr. McLeod:*

34530. How long is it since you left Prince Edward Island?—About 12 years.

34531. Do you know whether there has been an increase in the temperance or prohibition sentiment during the last dozen years or not? I heard that all the young men on the Island were taking to drink.

34532. Do you attribute that to the Scott Act?—No; but under the Scott Act they could get what they wanted.

34533. Do you know whether the Scott Act is in force in Charlottetown?—Not at the present time. I know it was a failure.

34534. Do you know whether the present system is a success or a failure?—No.

34535. Not having been there for twelve years, have you made any personal observations of the working of the Scott Act?—No.

34536. Then what you are stating is simply hearsay?—Yes.

34537. You would not care to give it in evidence?—It is hearsay.

34538. Did you say that the license law in the North-west Territories is well observed?—I did not say that. I say that so far as I know from my personal experience, it is well observed, with the exception of one or two places, where it is reported that certain wholesale people are breaking the law. Whenever I hear anything of the kind, I take immediate steps to stop it.

34539. Have there been any licensees brought to book for violations of the license law?—Not one.

34540. You have taken steps in some cases, I suppose?—No. It was rumoured at one time that a certain hotel and a wholesale dealer were selling after hours. We instructed the Inspector to warn each that if that occurred, they would certainly be fined and their licenses would be cancelled. Since then, I have not heard any complaints.

34541. Did the Deputy Commissioners intimate that there are any violations of law, except the Prince Albert case to which you have referred?—Yes, in one or two places I have had notice of violations of the law, and I have instructed them to take steps at once.

34542. Have you heard nothing since, and is the case at Prince Albert the only one?—Nothing.

34543. Then so far as your experience goes, you believe that the prohibitory provisions of the license law are carefully observed?—Yes, so far as I know.

34544. Do you know of any sale of liquor after hours at Regina?—I do not remember any. I heard of one case, and instructed the Inspector accordingly; but since a letter was written officially to the parties, I think the law has been well observed.

34545. Have you heard of violations on the Sabbath?—I have not heard of Sabbath violations.

34546. How many licenses are issued in Regina?—I think there are six, four hotel and two wholesale.

34547. No restaurant licenses?—There are no such licenses granted except in a town with a population of 3,000 people.

34548. What are the hours of closing at hotels?—From 11 o'clock at night till 7 o'clock in the morning, and on Monday the bar is not allowed to be opened until 6 o'clock.

34549. I suppose a wholesale dealer is not permitted to retail at all?—It is what you call a shop license. With a shop license a party can sell one bottle or two reputed pints, equal to one quart.

34550. Has there been any memorial or complaint made to yourself or to any official connected with the license law. That matter comes under the direction or control of the Assembly; but you have taken steps, I believe, to prevent any trouble?—We have taken steps.

34551. And you have heard nothing since?—No.

34552. I think you said that you did not believe in the practicability of prohibition. Do you believe in the principle of prohibition?—I do in a certain way. If liquor would

JAMES C. POPE.

injure a young man in any way, it might be better that he should not have it; but I do not believe in dictating to a man what he shall eat or drink.

34553. Then you believe it would be well to undertake by law to prohibit the drink habit including the manufacture, importation and sale?—Yes, if it could be worked out practically.

34554. Then you believe in the principle, though you think it could not be practically enforced?—I do not think it could be carried out.

34555. On what is your opinion based?—I think the majority of the people are against it.

34556. The people of Manitoba recently voted by a majority of 12,000 in favour of prohibition. Would that show that the sentiment of the people was in its favour?—I do not think the people of Manitoba are in favour of it.

34557. If a vote were taken in the North-west Territories, and it were given in favour of prohibition, do you not believe that it would express the sentiment of the public?—I think if a straight vote were taken for prohibition or license, it would be given in favour of license.

34558. It did not go in favour of license in Manitoba?—I do not think the vote was taken that way.

34559. The way it was taken was: yes or no on prohibition?—I was not of that opinion. I do not think that is the sentiment of the public.

34560. Notwithstanding they voted that way?—Notwithstanding they voted that way.

34561. Suppose the plebiscite had shown a majority in favour of license, would that vote have expressed the sentiment of the people?—I think it would, because the people are in favour of license.

34562. If a vote showing a majority in favour of license is regarded as expressive of the will of the people, how is it that a vote showing a majority in favour of prohibition is not expressive of the will of the people?—From my experience, I think the people in the Territories are in favour of license.

34563. Would you be willing that a plebiscite should be taken in these Territories on this question?—Yes.

34564. And if that plebiscite resulted in the majority voting in favour of prohibition, would you think that verdict meant that the people wanted prohibition?—I do not think it would be in favour of prohibition.

HON. HUGH ST. QUENTIN CAYLEY, M. L. A., of Calgary, on being duly sworn, deposed as follows:—

*By Judge McDonald:*

34565. I understand you are Premier of the North-west Territories?—I am a Member of the Assembly here. We have no title of Premier: I am Chairman of the Executive Committee here.

34566. What is your profession?—I am a lawyer.

34567. How long have you resided in the North-west Territories?—Since 1884.

34568. Have you always resided at Calgary?—Virtually all the time at Calgary.

34569. Did you come here from one of the other provinces?—I came here from Toronto.

34570. Have you seen the working of a prohibitory law anywhere else than in the North-west Territories?—Yes.

34571. From what you have seen since you came here of the working of the system as it was enforced here before the license law came into operation, do you think it could be effectually enforced?—Not the law they had.

34572. You mean the permit system?—Not the permit system.



34573. What was the difficulty about the working of it?—I do not think the system of prohibition, seeing it as I saw it, can be enforced without the extra powers that were given to the police when I first came here.

34574. What were those powers?—The power of search, personal and domiciliary. I do not think such a law can be enforced without these powers.

34575. Taking the Dominion of Canada as a whole, do you think it would be possible to enforce such a law with a body of men searching the residences and persons of Her Majesty's subjects?—We would not stand it in the North-west, and I do not see why you should stand it in the East. That is the great objection. It was not the principle we objected to in the North-west Territories when I came here first, it was not the principle of prohibition we objected to, not in the slightest, but we did object to the powers given to those men who were unyielding in the exercise of them.

34576. Are you a member of the Legislative Assembly?—I was a member of the old North-west Council in 1886, I think,—I came up here in 1884. I think I was elected in 1886, and I have been a member of the Assembly ever since.

34577. The present Assembly has passed a License Law we understand?—Yes, that was in obedience to the vote.

34578. That measure was carried by the representatives of the people, we believe?—Yes, the law was enacted by the representatives of the people in the Legislature, it was their vote.

34579. You refer to the law now in force?—Yes.

34580. So far as you have seen its operation, since it has come in force, do you think it is preferable to the old system?—Yes, certainly.

34581. Was it your experience that under the old system the people obtained liquor for beverage purposes?—Yes, they did; there is no doubt about that.

34582. We have been informed that under the old permit system the people got in quantities of liquor, and they would get together and consume the liquor in a very short time and drink to excess. Was that the state of things in the section where you lived?—In 1884, which was the time I came up here, if a man got a permit filled (you understand the permit gave the right to import a certain quantity of liquor), it seemed to be known from the telegraph office to all his friends, and the consequence was a debauch.

34583. Was there much smuggling along the southern frontier?—Yes. I heard a great many men afterwards boasting about what they had done in that line.

34584. It has been stated that the liquor smuggled from the United States was of a very inferior character, even of a foul kind. Do you know anything in regard to that?

We can only suppose, on general principles, that such was the case. Of course, there was a great deal manufactured in the country.

34585. Do you mean by illicit stills?—Certainly.

34586. Was there a complaint that there was bad liquor brought in and used?—I cannot say that, because I know nothing about it, except that those who did drink it say the liquor is better since the new system came into force.

34587. It has been stated that other compounds than liquor were resorted to?—Yes. When I first came to the Territories a gentleman would ask you up to his room to meet a few friends. He would make decoctions which, in nine cases out of ten, were composed of peppermint or some such material mixed with something else, and he would make intoxicating beverages out of those compounds, and they would keep drinking those compounds nearly half the night.

34588. He bought substances with which to make those decoctions?—Yes. Perhaps if I could give you a short history of the Prohibitory Law it might be better than these answers, which are simply opinions. But my evidence is personal. I came up here in 1884. I came from Toronto, where a different system was in vogue. I went to Calgary, and there I found the idea prevailing that when I obtained a drink a personal favour was conferred on me by some person or other. I took it as a personal favour, and of course those personal favours were conferred upon a great many people, and the consequence was that most of those people who had personal favours conferred upon them abused those favours. At the same time, I found the Mounted Police

HON. HUGH ST. QUENTIN CAYLEY.



trying to carry out the law. They required to have extraordinary powers given to them, otherwise there would have been no use trying to enforce the law; and, as you cannot have the best of men in the Mounted Police, you have to excuse an occasional feeling of anger against them. Very well then. When I came up in 1884, I heard many stories, as for instance, that members of the Mounted Police in plain clothes, visited a man's house during his absence and searched even his wife's bed. In 1884, the Mounted Police were looked upon as the terror of the country, because they possessed those extraordinary powers of search, which they exercised not according to the law of right or the law of justice. That was the case in 1884. Then the law as regards permits became relaxed, as you know; permits were much more freely given in the country to people to procure such liquor as they wished. But the powers of the Police were not relaxed. The consequence was that whenever a man had private vengeance against any one, and he was on the force, he exercised it. Of course, I do not consider it possible to keep liquor out of the country, unless you give those powers to a body of men; but when you do, you must be sure to obtain the best men in the country. When we were talking about a license law, I was asked to draft one, and I drafted the present law.

34589. What do you think is the effect on a community of having a law that is persistently and flagrantly violated?—I agree with Edward Blake in that respect. He said: You cannot enforce a law unless you have the sentiment of the people in favour of it.

*By Rev. Dr. McLeod:*

34590. I think I understood you to say that the permit system was relaxed after a certain time, and continued to be so. Do you think that was a good thing?—I cannot tell you whether it was or not. It was the people's wish.

34591. You think the desire of the people expressed itself in favour of the permit system being relaxed?—Yes.

34592. Were there no parties against a relaxation of the administration of the law, and asking a more rigid administration of the permit system?—Yes; but so far as I remember, they were parties altogether out of the Territories.

34593. Was there a movement in the Territories towards the more rigid enforcement of prohibition?—There were always a body of men who thought a rigid enforcement would be best.

34594. Did they express that desire in a formal way?—I think so. They had it in their power to express that opinion.

34595. On the other hand, were there parties against the rigid enforcement of the law, and did those people express themselves in a formal way?—No, I think not.

34596. Do you think the permit system was well administered?—No, I do not.

34597. Do you know whether the Lieutenant-Governor made it a condition that he should have personal knowledge of the applicants before he would give them permits?—I think he generally asked, if he had no personal knowledge of the applicant, the opinion of the Mounted Police, or perhaps the opinion of the Member for that district.

34598. Still you think the permit system was not well administered?—No. When the Lieutenant-Governor had no personal knowledge, he would not grant the permit; but I do not think there was any special class favoured with regard to the granting of permits. I think in Governor Dewdney's time and Governor Royal's time, men who were good citizens and good Conservatives were granted permits; I think they were personal favours.

34599. You do not think they were administered on any special plan but were personal favours. Do you mean that permits were granted to all persons who wanted liquor for consumption?—No.

34600. Not to all persons who might apply?—No. I have had a great deal of experience in that direction. I have been a Member of the Legislature for six or seven years, during part of Governor Dewdney's term and altogether during Governor Royal's term. Many whom I recommended were refused, and I certainly did not recommend any men of ill repute or any men who made a business of selling.

34601. Did you recommend any who were in the habit of drinking to excess?—Yes, I did. I did frequently recommend men who abused their privileges.

34602. Did you understand that applications were made by a large number who simply desired liquor to drink, who when they applied, and were known to the Lieutenant-Governor or to some friend of his, their requests were acceded to?—No; I think as a rule if the Lieutenant-Governor knew they were people who were very fond of liquor, he refused to grant them permits.

34603. In 1887, there were permitted 21,000 gallons and in 1888, 56,000 gallons. How do you account for that jump?—Is there no classification in that record—is it whisky, brandy or beer?

34604. It is a mixture of all kinds?—Can I have the figures?

34605. I think there were 21,000 gallons of beer and spirits in 1887, and 56,000 gallons of beer and spirits in 1888?—You mean that was the four per cent period.

34606. That came in in 1889, and those figures are for two years before that?—Governor Dewdney was here in 1884, and Governor Royal came in 1888.

34607. When was the increase?—It must have been between 1887 and 1888. The last year under Governor Dewdney the quantity was 21,000 gallons, and during the first year of Governor Royal, which was really only half a year, it was 56,000.

34608. I was not speaking of individuals, but I was speaking of years?—Governor Dewdney came in 1884. The first year of his administration the quantity was 9,000 gallons, the last year 21,000 gallons, which was in 1887. The first year of Governor Royal, in 1888, the quantity was 56,000 gallons. There was an increase under Governor Royal.

34609. Can you account for the leap from 21,000 to 56,000 gallons?—I think the permits were issued more freely, and more people were coming into the Territories.

34610. Then you think the relaxed permit system was not good: do you say that?—If prohibition is going to exist in any country, it must be absolute. If the people have to die for want of liquor they have to die. That is my opinion.

34611. Do you think they die for want of it?—I think they die for want of it. If a man has the moral courage to refuse liquor, then that is a man to be admired.

34612. Do you think the drink habit is increasing in the Territories?—It is very hard to say. It is a matter of opinion. I would rather say that I do not think it is increasing. More liquor is consumed, but I do not seem to have noticed the excessive drinking we had formerly.

34613. Would it be well if there were obstacles, say the licensing of the quantity consumed?—Yes.

34614. Are you yourself an abstainer?—No; I hope not to have my personal matters investigated.

34615. We ask doctors, lawyers and ministers, that question?—If it were not published, I would tell you exactly what I am.

34616. Will you answer this question: what do you think is the effect of violating a law on the violator?—How can it be otherwise than demoralizing.

34617. Do you think that because there are men who desire to violate the law, it would be well to repeal the law?—There you enter on high ground. You might as well ask the man who committed a theft, whether it would not be well that the law against theft should be removed. I do not agree with you there.

34618. Was the license law the chief issue at the last election in the Territories?—I think not. I think it might have been so in two or three districts. The prohibition sentiment is very strong, however, in this country, and if the women were allowed to vote, the probability is that if there was an election, prohibition would be carried. This is a very strong statement from a man who believes that a license law is the best to such, but I believe that the sentiment is that way in the western part of the Territories.

34619. So it was not the issue at the last election?—I think not. I know in all cases where the candidates were opposed to prohibition their votes must be taken *cum grano salis*.

JAMES H. BENSON, of Regina, Sheriff of the Judicial District of Western Assiniboia, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

34620. Please describe briefly the boundary of your district?—It runs from Ranges 10 and 11 up to Maple Creek, south to the international boundary, and north to the border of Saskatchewan.

34621. How long have you lived in the North-west Territories?—I have lived in the North-west and Regina 10 years in December next.

34622. How much of that time have you lived in Regina?—All that time.

34623. How long have you been Sheriff?—Since 1887.

34624. Did you come here from one of the other provinces?—From Ontario.

34625. From what part?—From the County of Huron.

34626. What law was in force when you left there?—The license law.

34627. Have you known any other country than the North-west Territories under a prohibitory law?—None whatever.

34628. What has been your experience in the Territories : have you found the law to be effectually enforced?—At first the permit system was effectually enforced for some time.

34629. Do you think the condition changed?—I noticed a perceptible change.

34630. Do you travel round the country?—Yes, in my district.

34631. In the course of your travels have you found that liquor was obtainable?—It was obtainable at times, but I have heard complaints that it was not obtainable.

34632. Have you heard complaints as to the quality of the liquor in the country?—Under the permit system, I always understood, and it was so in my experience, that the liquor brought in was very good ; but the four per cent beer which came in was, I consider, villainous stuff.

34633. Was any liquor of an inferior character smuggled in during the permit system period?—I do not think so.

34634. We have heard that there was impure liquor brought in from the United States?—I do not think that that applied here. Any liquor smuggled here was smuggled in from Manitoba.

34635. Did illicit sale prevail to any great extent?—I heard of two or three cases, but it was not general.

34636. Then there came a change in the permit system, by which the quantity that was brought in was increased?—Yes.

34637. By which increased quantities of spirits were brought in as well as four per cent beer?—There may have been an increase of both. Liquor was more easily obtained in later years.

34638. Judging from what you saw of the prohibitory law during its existence, would you consider that it would be practicable to enforce a prohibitory law for the whole of Canada?—Judging from what I saw, I say certainly not.

34639. If such a law were passed by Parliament, a law prohibiting the manufacture, importation and sale of intoxicating liquors for beverage purposes, would you deem it right that brewers and distillers should receive compensation for their plant and machinery that would be rendered useless?—That is a question I have never considered, and it is one on which I could scarcely venture to give an opinion. My idea has always been that they should receive compensation.

34640. What do you consider is the effect on a community of a law remaining on the statute-book, such as a prohibitory law, that is persistently and flagrantly violated?—I should say that it is very demoralizing.

34642. Have you, as a citizen, seen something of the operation of the license law since it came into force?—Only from observation.

34643. Does it appear to work fairly well?—I consider it does ; I have heard very few complaints.



*By Rev. Dr. McLeod:*

34644. I think you said that in the early years prohibition worked fairly well?—It was enforced.

34645. And later, what was the result?—There were more sources from which liquor was brought into the Territories.

34646. Later, there was a change. To what do you attribute it?—Very often I attribute it to the excessive work placed on the police, and to the fact that public sentiment was against the law. In this way they were not so rigid in their enforcement of the law as they would have been, if they had found that the public were with them.

34647. Do you attribute the change in any way to the large number of permits granted?—No, I think not. My experience has been along the line of the railway, and the force was called back to make seizures.

34648. Would the work of the police be more difficult if more permits were scattered over the country?—It would naturally make their work more difficult if at all points where liquor was imported the importations were covered by permits.

34649. Would drinking increase in proportion as permits were increased?—I should naturally imagine it would.

34650. Would the people be liable to obtain the impression that because there was increased drinking, prohibition was a failure, as it had not prohibited that drinking?—I do not quite understand your question.

34651. For instance: as the number of permits increased rapidly, must there necessarily have been an increase in drinking? Where more or less drinking is going on, I suppose there are more or less effects to be seen? Would those effects of drinking be more conspicuously noticeable; would it seem that prohibition was a failure because there was so much drinking going on and such effects of drinking observable?—Naturally.

34652. Was that the fault of the prohibition in the law or the permission in the law?—I could not undertake to answer that question.

34653. You have spoken of the police not having the sympathy of the people in later years. Did they have the sympathy of the people in early years?—I think so. There were fewer people in the country then, and I admit that the people were more in favour of the permit system than they were afterwards; the people were against it afterwards.

34654. Speaking about the four per cent beer that was introduced, did you notice whether there was an increase of drinking after that change of system?—Do you refer to the drinking of spirits?

34655. I refer to drinking of spirits of all kinds?—I do not think so.

34656. Did the people instead of drinking spirits all the time, take something else a good deal of the time?—It would take a wise man to undertake to say what liquor the people took; it was very foul stuff. I noticed its effects on people who were not drunkards and on men who were in the habit of drinking; its effects were very perceptible, and it caused them to be stupefied. So a man would stop drinking it.

34657. So the four per cent beer introduced did not improve the condition of things?—I think not. It rather increased the consumption of spirits, because if you could get spirit, you would certainly drink it in preference to the beer.

34658. Speaking about the violations of the law, I ask you as an executive officer, which is better, to enforce a violated law, or to repeal the law because it is violated? For instance, a law is violated in this country: which would you rather do, endeavour to enforce it, or repeal it because it is violated?—That would depend very much on the circumstances. I would, of course, endeavour to enforce a law when it was violated, if it was possible to do so.

34659. Especially as it was the law?—Yes; and I would endeavour to prevent violations of it.

34660. Do you believe in the principle of prohibition?—I do not.

34661. You think it is not well under any circumstances to prohibit the liquor trade, I suppose?—I would restrict it, but I would not prohibit it.

JOHN H. BENSON.



34662. Have you observed whether the license law does restrict the trade?—My impression of the license law here as contrasted with my experience of partial prohibition, is so limited that I could not venture to give an opinion in regard to it. We have had no chance since May 1st to properly observe its working. It has worked satisfactorily, so far as I could judge. I have seen no violations, and have not heard of any.

34663. You have not heard of sales after hours and on Sundays?—I have not heard of any, and have not seen any.

34664. But I understand that you object to the principle of prohibition?—Yes; I have my own views on the subject.

34665. Do you object to prohibition because it is not practicable, as is often alleged, or because it involves a wrong principle to be incorporated in the laws of the country?—I think so. Those gifts were given to us I think, and we have a right to enjoy them within proper limits.

34666. You mean alcoholic liquor was given to us?—Yes.

34667. By whom?—That is a question into which I need not enter.

34668. Do you mean that it is one of the good creatures of God?—It is one of the gifts of God, when not abused.

34669. Do you think the four per cent beer was a gift of God?—No; but I am not speaking of that matter.

34670. Do you think that God is responsible for the compounds which are called good liquors?—I cannot say.

34671. Can they be properly called the good creatures of God?—Some might be so.

34672. It might be a term for all things entering into those compounds; but is God responsible for the compound or for the character of the compound?—As I have already stated, I am against the principle of prohibition.

34673. You think the trade should be restricted?—I do.

34674. Why should it be restricted?—Because there is then less danger of violations.

34675. Why should there be restrictions thrown about the liquor trade that are not thrown about other trades?—I understand one reason is, that liquor is liable to be abused, and there are some men who have not sufficient control over themselves.

34676. It is admitted, then, that the liquor trade is of a character different from all other trades, and that it is necessary to throw restrictions around it?—I am speaking from my standpoint and according to my observation.

34677. Have you observed that notwithstanding the restrictions thrown about it, there is constant abuse of liquor and damage done to a considerable number of people?—Not to any great extent. If the use or abuse of liquor in these Territories has been productive of ill-effects, I have not observed them except in one or two cases, but not to any great extent.

34678. Taking your observation in a wider field, have you observed that the drink trade is productive of evil in any degree?—In some instances I have seen evils result from it.

34679. Is that the reason why the trade should be restricted by limiting the number of licenses and the hours of sale?—Yes, in my view.

34680. Have you observed that under those restrictions, the evils are lessened?—There are fewer people who drink to excess than when the trade was not limited or restricted. I think so, judging from the operation of the permit system originally here.

34681. Then you think the permit system was of some benefit?—I do.

34682. Was prohibition in the neighbourhood of public works, that is during the construction of the railway, a good thing? The railway construction had gone on before I came here; it was west of here then, and my duties did not carry me there.

34683. It has been stated that prohibition during the construction of the railway was enforced and was productive of good results?—I have so understood.

34684. Would prohibition, equally well enforced, be productive of good results under other conditions?—I hardly think so.

34685. Do you believe, while of course you are opposed to the principle of prohibition, that if there were a prohibitory law for the whole country, well enforced, it would

be beneficial?—I suppose so; but it would not be well enforced, so I could not imagine such a condition.

*By Judge McDonald:*

34686. Do you not find that this liquor question is a different question from all others in regard to the sentiment of the people, as a matter of fact?—Yes.

34687. Can you mention any subject that the Legislature deals with in the nature of criminal law in regard to which there is no difficulty in enforcing a law?—No.

34688. I suppose you invariably find that the sentiment of the people is in favour of enforcing the law?—Yes.

34689. And that sentiment prevails among a very large class and in a very large proportion of the community?—Yes.

34690. So that the authorities are enabled to carry out the law?—Yes.

34691. Then you find that this question differs from all others in that respect?—Very materially so.

34692. Do you not think that in dealing with this question, circumstances must be taken into consideration?—I think so; I think it would be an element in the case.

ROBERT B. GORDON recalled.

*By Judge McDonald:*

34693. Do you know whether any municipality in the Territories has thus far availed itself of the local option clause in the License Act?—I am not aware of any; but the Inspector will be able to tell the Commission.

34694. You have no knowledge of the matter?—No.

JAMES C. POPE recalled.

*By Judge McDonald:*

34695. Do you know whether any municipality in the Territories has thus far availed itself of the local option clause in the License Act?—No.

*By Rev. Dr. McLeod:*

34696-7. What is the clause?—It is one of the clauses in the License Ordinance.

JUDGE McDONALD—The clause reads as follows:—

“No license shall be granted by the Board, for the sale of liquors within the limits of a license district, when it shall have been made to appear to the Board in manner hereinafter provided, that a majority of three-fifths of the duly qualified electors therein, who have voted at a poll taken as hereinafter specified, have declared themselves to be in favour of a prohibition of the sale of intoxicating liquors in their district, and against the issue of licenses therefor.

“When a requisition is presented, accompanied by the sum of two hundred dollars to defray the expenses of the poll hereinafter specified, to any Commissioner from a number of the electors of any district (estimated as near as may be at least one-fifth of the total number of electors of the district, the basis of such estimate being the number of electors who voted at the last election of a member of the Legislative Assembly) requiring a vote to be taken as to whether or not such license shall issue or be granted therein, it shall be the duty of such Commissioner, upon the receipt of such requisition and the said sum of two hundred dollars to scrutinize the names of the electors attached to such requisition, and being satisfied that the names so attached are those of duly qualified electors within the district, and after the person or persons who have witnessed the signatures to the said requisition shall have sworn before a Justice or a notary public, that he, the said witness, or they, the said witnesses, were present and saw the said electors sign the said requisition; that the said electors sign the said requisition within thirty days of the date of such affidavit; and that the electors constitute one-fifth of the electors of such district (estimated as above), to command the taking of such a poll of the said electors, to ascertain whether or not such licenses shall be granted.”

JOHN H. BENSON.

*By Rev. Dr. McLeod :*

34698. Does this mean that the people who present the requisition must deposit \$200?—Yes. At the last session of the Legislative Assembly there was an amendment moved to reduce the amount to \$100, but it did not pass, owing to the Legislature being dissolved.

34699. That is to say that people who want the vote taken are to make a deposit of \$100, even if the amendment should be adopted. Will they not get it returned?—I have not looked into that matter.

34700. Do you know whether after the passage of the license law, there was opportunity offered for the municipalities to take that course?—Not last year.

34701. That is the reason why there is no municipality under this option clause?—Yes.

34702. The Act came into force on 1st May, I believe?—It was assented to about that time.

34703. Is it a fact that the law provided for a vote being taken within a certain time after the coming into force of the Act?—I have not looked into the local option clause, as it is since it came into force.

34704-5. It is stated that the Act shall not come into force within one year?—Yes.

JUDGE McDONALD.—Section 148 provides as follows :—

“This Ordinance shall come into force and take effect on, from and after the first day of May, one thousand eight hundred and ninety-two, nevertheless all proceedings taken and things done under the provisions of sections one to forty-eight, both inclusive, of this Ordinance subsequent to the date on which the Lieutenant-Governor assents to the same but prior to the said first day of May, shall be deemed to be valid and shall have full force and effect for the purposes for which they are taken and done?”

—Yes.

JAMES WILLIAMS, of Regina, police constable, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

34706. How many constables have you under your charge?—One.

34707. How long have you resided in the North-west Territories?—Five years.

34708. How long have you resided in Regina?—About one year.

34709. Where did you reside before that?—I was in the North-west Mounted Police, and my duties would, of course, take me to different points along the line.

34710. Did you come from one of the other Provinces?—I came from Halifax, Nova Scotia.

34711. Have you lived in any other country, except the North-west Territories, where prohibition was in force?—No.

34712. Have you ever lived in any locality in Nova Scotia where local option was in force?—I have seen the effects of the Scott Act in the Province.

34713. From your experience of the working of prohibition in the North-west Territories, do you think it could be effectually enforced?—I believe it could.

34714. What system do you think it would be best to adopt for that purpose?—Such a system as was carried out by the Mounted Police in the Territories. The system that was in force here previous to the license law could have been enforced here if the authorities had not been so lax in regard to the issuing of permits.

34715. Then, in your opinion, if fewer permits had been granted, the police would have been able to enforce prohibition?—Yes.

34716. What were the powers of the Police?—They could apply to a Magistrate or a Justice of the Peace for a search warrant, and in the case of commissioned officers of the force they did not require a search warrant, if there was reasonable ground to suspect that liquor was being sold or concealed in a house. Any officer could search the house.

34717. Could not the officer send a man to do it?—Yes.

34718. You think with such a system, and no permits granted, a prohibitory law could be carried out?—It could.

34719. From your knowledge of the city of Halifax and that part of Nova Scotia, do you think you could carry out such a law there?—There would be a little more difficulty on account of vessels coming in the harbour, and liquor would be concealed on board.

34720. Do you think the number of residences and the population would make it more difficult to visit houses and search them and search the persons of the people?—If there were proper officials to look after incoming vessels, I believe there would be no necessity to search the houses.

34721. How would you manage with regard to the coast line of Nova Scotia, New Brunswick and Prince Edward Island: would you require a large force at different points?—In the event of prohibition being enacted for those provinces, the police used in the towns could be dispensed with and sent to the coast.

34722. You think they would form a sufficient force for the purpose?—I should think so.

34723. You think that the police force in the cities could be dispensed with and sent to the coast in order to prevent liquor being landed?—To a large extent.

34724. And what would you provide in regard to Prince Edward Island?—I have had no experience there.

34725. How would you provide for the boundary of the United States in Quebec and Ontario?—I should think the same plan would apply.

34726. Would the same plan apply to the North-west Territories and Manitoba?—We have a sufficient body of men in the Territories to do the work.

34727. And how would you manage in regard to British Columbia?—I have never been there.

34728. Are you in favour of prohibition as a principle?—I am.

34729. Do you think it could be effectually enforced in Canada?—I believe it could.

34730. And without adding to the force, but simply availing yourself of the present force?—I think a sufficient number could be drafted from the force now in existence, and in fact the others could be dispensed with, and a great many of the prisons closed.

34731. Do you think the benefits of prohibition would be so great that many men could be relieved from the service?—I think they could be.

34732. And the prisons closed up?—A number of them could be.

34733. Do you think the county jails could be dispensed with?—Yes, in some counties.

34734. How would you propose to manage with regard to illicit sale in the counties: would the same officers look after them?—Yes; they do it in Ireland.

34735. Would you favour the establishment in Canada of such a force as the Irish Constabulary to deal with these matters?—No; I do not think such a force would be necessary. The police in the various localities could deal with it.

34736. You would use the ordinary police force in the country to do the work?—I would take a few men from the force, men well adapted for the work.

34737. How many men connected with the police force probably could be dispensed with here in Regina?—There is only one man here.

34738. Do you think he would not be needed if there was no license law here?—Very probably not.

34739. Do you not think that, if prohibition were adopted, such a reduction of the police force would be dangerous?—I believe it would be.

34740. Do you believe that in case of a prohibitory law being passed, a law prohibiting the manufacture, importation and sale of intoxicating liquors for beverage purposes, the brewers and distillers should be compensated for their loss of plant and machinery?—That is a question to which I have not given any thought. My own impression is that they should not.

34741. You know that the sentiment of the Maritime Provinces is very strongly in favour of prohibition, I suppose?—I have gathered it from the newspapers.

JAMES WILLIAMS.



34742. Supposing a vote was taken on this question for the whole of Canada, and it was found that there was a large majority, perhaps 10 to 1 in the Maritime Provinces in favour of prohibition; that a large majority in Quebec was against it, that Ontario was about evenly balanced, that Manitoba and the North-west Territories were strongly in favour of it, and British Columbia 10 to 1 against it: would you hope to enforce such a law in Quebec and British Columbia with such a sentiment against it?—After a little time, I believe it would be enforced; it would not be enforced the first year.

34743. Do you believe that, after that time, it would be enforced?—I believe so.

*By Rev. Dr. McLeod:*

34744. How long have you been Chief Constable of Regina?—Three months.

34745. Since the license law has been in operation?—Yes.

34746. Was there any constable here before that time?—Not that I am aware of.

34747. You think that prohibition would be a good thing for the country at large even if it required an addition to the present police force?—I believe it would. We would have less poverty in the country, fewer work-houses and less pauperism in the Eastern Provinces.

AMÉDÉE EMANUEL FORGET, of Regina, Assistant Indian Commissioner, on being duly sworn, deposed as follows:—

*By Judge McDonald:*

34748. How long have you resided in the North-west Territories?—Since the fall of 1876.

34749. Where did you reside in the Territories during that time, in more than one place?—For one year I was at Fort Pelly, and five years at Battleford, and the balance of the time at Regina.

34750. Where did you reside before you came to the Territories?—In Montreal.

34751. Have you had any experience of a prohibitory law anywhere else than in the Territories?—Nowhere else.

34752. So far as you were able to observe its operation in the Territories, did you find it successful in prohibiting the use of intoxicating liquors as beverages?—No. It has been to some extent successful, but not entirely.

34753. We have had evidence before the Commission of what is called the permit system, under which people were allowed by permit to get quantities of liquor and bring it into the Territories, at which time they would call their friends together and have a drinking bout as long as the liquor held out?—That was just as much so under any other system.

34754. Has your attention been in any way called to the kind of liquor in use in the Territories?—I think under the permit system there were more of the hard intoxicating liquors sold than under the license system.

34755. Or what we would call distilled spirits?—Yes, I think so. Take my own case. I was living at Battleford, 600 miles from Winnipeg, and permits were obtainable only occasionally, owing to the distance and the heavy charge for freight on bulk liquor. The people would get the strongest liquor, and they would only need a small quantity then because they diluted it with water after it was received. The distance, of course, made it impossible to send for beer or claret. I was in the habit of drinking claret in Montreal, but I had not a glass of claret for five years at Battleford.

34756. From your experience, do you think it would be a good thing if the use of light wines and ales was encouraged and the consumption of the heavier liquors diminished?—That is my firm belief. The encouragement of the use of light wines would do more than anything else to reduce the drinking of hard liquors.

34757. Is there much lager beer used here?—I believe there is a good deal.

34758. Have you been at any time south of the line of the Canadian Pacific Railway in the direction of the boundary of the United States?—Not except at Macleod.

34759. We are told that considerable quantities of liquor were smuggled from the United States?—Yes, that was the case at one time.

34760. It has been stated that the liquor was very bad in quality. Have you had any experience in that respect?—I have had no personal experience of it.

34761. A license law is now in force in the Territories: have you as a citizen observed whether it is working well?—I have taken very slight notice of its working personally, but it has not been very well enforced.

34762. In your particular department as Assistant Commissioner of Indian Affairs, part of your duty is, I presume, to see that intoxicating liquor is kept from the Indians?—Yes.

34763. I believe that under the permit system there was not so much chance of getting liquor as under the present system, so far as the Indians were concerned?—Under the present system many people have liquor for sale, and in some cases it is hard to distinguish who are Indians and who are not, because there are in some places, such as Duck Lake, Prince Albert and Edmonton, people now called Indians who were formerly members of the Treaty Indians, or who have withdrawn from the treaty to accept the scrip which was offered by the Government to Half-breeds. There is very little difference between those people and the real Indians, and yet they are practically the same as white citizens. Liquor may be sold in those localities and to those people legally.

34764. We have been told that in some sections where liquor is allowed to be sold, it is not allowed to be sold directly to the Indians, but white men will get it for the Indians?—It is done, but not very frequently.

34765. In case of a prohibitory law being passed, a law prohibiting the manufacture, importation and sale of intoxicating liquors for beverage purposes, do you think brewers and distillers should be remunerated for loss of plant and machinery?—Yes, I should say so, if there was such a change made.

34766. It is urged by some that when changes occur in the trade policy of the Government affecting individuals they should not be compensated?—I think compensation should be made them in the event of such a law being enacted for the Dominion.

*By Rev. Dr. McLeod:*

34767. What did you regard as the weak features of the North-west prohibition?—The weak feature was the attempt to prohibit the bringing in of liquors, which is a hard thing to do in any place.

34768. It did succeed in part, I believe?—Yes. I think as regards the lower class of the people the permit system was successful, but the upper class people drank more liquor under permit than they do now. The poor people could not afford it.

34769. Then you think the permit system was the weak part of it?—It was not called a license system, but it really was one. Instead of allowing one individual to have liquor in his possession for sale, it allowed individuals at large to have liquor in their possession for their own use.

34770. And also for sale if they were disposed to sell it?—Yes, though they were not presumed to sell.

34771. Then it was license in this sense, that instead of there being a number of persons licensed to sell, the prerogative rested with the Governor of allowing individuals to bring in liquor?—Yes, in reality.

34772. In regard to the permit system: if it had been more rigidly enforced, would prohibition in a larger degree have been a success? Yes, if it had been. I was connected with that system before becoming Indian Commissioner. I was Clerk of the North-west Council and Secretary to Governor Dewdney, and afterwards to Governor Royal, and I had really the administration of the department at that time, of course, under the direction of both of their Honours under whom I served, but some discretion was allowed me. If the Lieutenant-Governor was free in granting permits he was assailed by persons inclined to be prohibitionists for being too liberal; if, on the other

AMÉDÉE EMANUEL FORGET.

hand, he became a little strict, he was assailed in letters from all over the country with discriminating against certain persons. So it was one of the hardest systems possible to administer, and to discriminate as between parties. In fact, the question frequently arose as to whether the Lieutenant-Governor had a right to discriminate between persons.

34773. So, I suppose, you did not discriminate but issued permits generally?— Sometimes we discriminated with the result that I have shown. We established certain rules under which the application had to be recommended by some person known to His Honour before the permit was granted.

34774. Did you observe how the introduction of the four per cent beer for sale worked: what was its effect?—I think it had a beneficial effect on the whole; it certainly decreased the applications for strong drink. I was then Secretary to the Lieutenant-Governor, and I noticed that myself.

34775. I notice this, that in 1888, at the end of the year the four per cent beer was introduced, 8,561 gallons were allowed by permit; in 1889, 11,660 gallons of spirits were admitted by permit; and in 1890, 18,417 gallons. So there was a steady increase in the quantity of spirits used, while there was also a steady increase in the four per cent beer and all other liquors?—You did not take into account the steady increase also in the population; that, of course, has to be kept in mind.

34776. Then, you think there was no disproportionate increase? If you take the reports year after year, they will show an increase, which cannot be explained. In 1888 there were 56,000 gallons of all kinds of liquor permitted; in 1889, 151,000, nearly three times as much, and there was certainly not that increase in population. In 1890 the quantity was 153,000 gallons. In 1891 the four per cent beer system was introduced, and was enforced. Then including all kinds of liquors, a very large increase will be explained by the fact of the four per cent system; but that will explain only a certain quantity?—I do not think there was any disproportionate increase.

*By Judge McDonald:*

34777. The annual consumption of those liquors in the North-west Territories and in Manitoba was as follows: in 1890, 319 and 541 of beer; in 1889, 031; in 1891, 2315 gallons, or more than double the quantity of beer, with a very slight increase of spirits?—Yes.

*By Rev. Dr. McLeod:*

34778. In 1889 the total importation of liquor under permit was 151,000 gallons, and in that year 11,660 gallons of it were spirituous. So while there was an increase in beer, there was also an increase in the quantity of spirits consumed?—Which is explained by the increase in population.

34779. The introduction of the four per cent beer, I believe, was made with a view to lessen the consumption of spirits. Was that the case?—Yes; it was one of the motives.

34780. But it would seem by the figures that the consumption kept pace with the increase of population, and that while beer increased, there was also a proportionate increase in the consumption of spirits?—The population has steadily increased during that period, and that is why the figures would show a different result. I think that if the population had remained stationary, there would have been a decrease in the importation of strong liquors.

34781. As Assistant Commissioner of Indian Affairs I notice that your testimony is similar to that of Commissioner Reed, who said that extra precautions had to be taken now under the license system in order to protect the Indians from liquor?—Yes.

34782. Do you find that is true?—Yes.

34783. So that, in that respect, the license system is not an improvement?—It is not an improvement so far as our Indians are concerned.

34784. Is it an improvement so far as the Territories are concerned?—I cannot say that it is; I prefer a complete prohibitory system, if it could be enforced.

34785. Do you think there would be great difficulty with regard to enforcement?—I do. I believe it would be next to impossible to enforce such a system very strictly.



34786. At all events, you think there would be great difficulties?—Yes.

34787. Do you think a general prohibitory system could be well enforced in the Territories and that good results would follow?—Yes, as everywhere else.

34788. Do you consider its enforcement, if its enforcement could be secured, would be the means of reducing the quantity of liquor introduced in one way or another?—Yes, I think so.

34789. Do you think the benefits in such a case would be marked?—Yes.

*By Judge McDonald :*

34790. In regard to the enactment of such a law : have you had any experience as to the practicability of such a law, and have you considered what the effects on the community would be of prosecuting cases of violation. We are told that in some places attempts to enforce prohibition in courts of justice are attended by perjury. Have you had any experience in cases of that kind?—I have had experience, and the effects are not beneficial.

34791. We are told that people look on the enforcement of such a law differently from the enforcement of all other laws. Have you noticed that?—Yes, I have noticed it.

34792. What, in your opinion, is the effect on a community of having on the statute-book such a law as this, which is persistently and flagrantly violated?—The effect is very bad.

34793. Has it a tendency to bring law into contempt with the people?—Yes.

34794. In increasing the number of permits which were issued, it has been suggested that the reason they were increased was the fact that a large quantity of liquor was being brought in illegally, both from the United States and from Manitoba, and it was thought that by issuing more permits less liquor would be smuggled in?—Yes ; whenever permits were granted freely there were fewer causes of smuggling.

34795-6. Looking at the figures in regard to the increase of importations and looking at the consumption per head, the Government figures show no apparent increase, but must it not be taken into account that the figures of the quantity smuggled did not appear in that report?—Yes ; it did not appear at all.

34797. And therefore, in spite of the smuggling, there was as much liquor being introduced per head as under the permit system?—Yes, probably more, but the figures did not appear in the public reports.

34798. What was the first year you came here?—In 1876.

34799. The annual consumption per head in Manitoba and the North-west Territories per head was : of spirits, 726, of beer 177, of wine 205 during that year. During the next year, 1877, the consumption dropped, the figures being : spirits 294, beer 26, and wine 12. Next year it again increased, the quantities being, in 1878, spirits 533, beer 1468, wine 53 ; so that, as compared with the previous year, spirits about doubled, beer more than doubled, and wine quadrupled. The quantities varied from year to year until 1883. For that year the quantity of spirits was 875, beer 1679, and wine 34. The following year, 1889, the figures were as follows : 609 for spirits, beer 3080, wine 62. In 1890, as follows : spirits 519, beer 125, and wine 41 ; and in the following year there was an increase again, at all events a considerable increase in beer. So the quantity of liquor has been fluctuating from year to year, it being sometimes more and sometimes less.—Yes.

34800. I understood you to say that the increase in population was one of the causes of the changes?—Yes.

34801. That the introduction of the four per cent system led to the increase in the quantity of beer used?—Yes.

34802. In connection with these matters, do you think the habits of the people have changed with an increase in the use of liquors?—Yes ; since the license system was enforced.

34803. And under permit?—Yes. My own experience has led me to believe that there was as much drinking done in the Territories and Manitoba when under permit as in Quebec and Ontario under license systems.

34804. Did you notice that, while more liquor was consumed, the people, as a body, were more given to drinking during the later than the former years?—Just about the

AMÉDÉE EMANUEL FORGET.



same. As the centres of population increase, you see more drunkenness, I suppose. But this is accounted for by the increase in the population.

34805. Has there been more increase in proportion to the population?—Just about the same.

34806. It has been stated that not only liquors were smuggled in, but compounds were used. Do you know anything in regard to them?—Yes; these practices were resorted to, especially by the lower classes of people. Where the person or persons could not obtain permits for one reason or another to enable them to get large quantities of liquor, they would purchase from drug stores or from other stores essences of various kinds, pain-killer, essence of ginger and eau de Cologne. I know of a case in Battleford where a dozen bottles of eau de Cologne were bought, and the people got not only drunk, but dreadfully sick.

34807. Taking Canada as a whole, taking the Province of Quebec and our long coast line and the international boundary of the United States, would it be possible that a prohibitory law could be enforced practically?—I do not think it could be enforced.

34808. Taking the Territories as you have known them, and taking the permits system, under which some liquor was brought in legally and some illegally, and taking the license system: if prohibition were adopted, what would be the consequence? Some liquor would continue to be imported legally and some illegally to a more or less degree, according to the amount of stringency exercised. But no matter what means you adopted to get rid of liquor, some people would get it.

34809. We have been told that in order to make prohibition a success, it would be necessary to have a large body of officers possessing the same powers as the North-west Mounted Police, with power to search houses and persons?—That would not work.

34810. Do you think in Canada, as a whole, such a system would commend itself to our people?—I do not think it would be successful in its results. It does not commend itself to my mind.

*By Rev. Dr. McLeod:*

34811. Do you express yourself in favour of the introduction of wine and beer and the encouragement of their use?—Yes; my own private belief with respect to liquor is, that used moderately, it is beneficial. The fault is committed by many of taking more than is reasonable. Of course, that renders it very unfortunate for those people and their families, and for the city in which they happen to live, and for their friends.

34812. You think that if the use of light wines and beer was encouraged it would diminish the use of stronger liquors?—In all those matters I believe judging others by myself. It has a good effect on me, and I believe it would have a similar effect on others. I am quite content to have a glass of wine when I want liquor, for it is beneficial. I would sooner have a glass of wine than a glass of spirits; but in the absence of the former, I would take the latter.

GEORGE ARKLE, of Regina, farmer, on being duly sworn, deposed as follows:—

*By Judge McDonald:*

34813. Where do you reside?—I reside near Regina.

34814. How long have you lived in the North-west Territories?—I settled here early in May, 1888.

34815. Where did you come from?—From Winnipeg.

34816. How long did you live in Winnipeg?—I arrived in Winnipeg from Thunder Bay, where I was five years, living between Port Arthur and Clarke River, in 1880. In that year I went on the survey up to the Pheasant Hills, 50 miles north-west of Fort Qu'Appelle, and back to Winnipeg, and came here about 1888.

34817. Have you lived here ever since?—Yes.

34818. Did you come here originally from one of the other Provinces?—I came here originally from Liverpool, England.

34819. When you came to Winnipeg, did you come directly from Liverpool?—I came to Canada in 1855 for Brassey and Betts at the time they were constructing the Grand Trunk Railway, and I was stationed at Kingston, and was there from July, 1883, to October. When I was on the Grand Trunk at Montreal my district was between Toronto and Grafton.

34820. The license law was in force down there, I suppose?—It was.

34821. When you came to Winnipeg what law was in force regarding the sale of liquor?—A license law.

34822. Is the North-west Territories the only country where you have had any experience of a prohibitory law?—No; I have been through Vermont.

34823. Did you live there?—No, not there. I have been in Maine; in 1870, I left Toronto and went on the Northern Pacific; in 1871, was on the St. Paul and Sioux Line, and I was in Iowa when it was a prohibitory state.

34824. So you lived in Iowa under prohibition and also in the North-west Territories under a prohibitory law?—Yes.

34825. How did you find prohibition work in Iowa?—It was a fraud.

34826. Could liquor be obtained there for beverage purposes?—Pots of whisky and pots of beer could be obtained there in every town and village you visited.

34827. How did you find the law work in the North-west Territories? I will say this, that take the people as a whole, there are no people more temperate than they are. I think that since the license law has come into force, the condition of things is better in every way, and there has been less drinking so far as I could judge. I am, however, not often in town. The license law is preferable to prohibition.

34828. Did the people get liquor under prohibition?—Yes.

34829. In the Territories?—So far as I could judge, some did get it and some did not.

34830. Some got it in packages, I suppose?—Yes.

34831. The last witness has spoken of substitutes being used, such as pain-killer, eau de Cologne, essence of ginger and other articles?—I have only seen one case of it, and that was at Collinges. I remember a man went round and got a bottle of pain-killer; he was bordering on delirium tremens from drinking pain-killer. That is the only case I knew of personally; of course, I could tell you what others have said, but that would be only hearsay evidence.

34832. Were other articles used?—Pain-killer, essence of ginger and different oils were used. There was a man named Clinton or such name, who when he took those decoctions, acted the same as if he had taken pain-killer, and when he could not get that he took opium, and he poisoned himself within about two miles of this city.

34833. We have been told that when a man obtained a permit and the liquor arrived, he gathered his friends together and they drank to excess until the liquor was exhausted?—I have not drank spirits since I came to this country. I have had a permit myself. I know that all the fellows would meet and have a good time. It was good whisky and some drank more than was good for them. The white man in regard to liquor was like the Indian in regard to his food, they could only get it once in a while and they were bound to make the most of it.

34834. Judging from your experience, do you think a general prohibition law capable of enforcement?—No.

34835. Do you think it is in the interests of the country that such a law should be enacted?—No, it is not.

34836. If such a law were enacted in the country, a law prohibiting the manufacture, importation and sale of intoxicating liquors for beverage purposes, should brewers and distillers be compensated for loss of plant that would be rendered useless?—I think so.

34837. A question that often comes to the front—probably not in this new country—is the treatment of the persistent drunkard. There are men, especially in the older countries, who are constantly appearing before the police court, being sent to prison for short terms and appearing again and again. In the case of such men, should they be sent to prison for longer terms, or should they be placed in some institution with a view to reformation. As a member of the community, what would be your opinion on

GEORGE ARKLE.

that point?—I consider that it would be a very good plan to send him to some institution, because a man who is constantly drunk, and especially drunk on bad beer and whisky and illicit whisky, should be taken care of. I recollect in 1883, Cowdry Bros., who were large store keepers here, one of whom is in the Commercial Bank at Winnipeg and the other at Fort Macleod and who are steady men, had a supply of peppermint which they kept in small bottles. A policeman came in and asked if they had any essences, he having first asked for pain-killer. He was told that they had peppermint. He said that he did not know whether it was regular peppermint or not, and asked if it was used for children's colic. Inspector Steele laid an information, and those men were fined \$50 for having that article. This was enough to make new settlers disgusted with the country. At Calgary those men told Inspector Steele that they had some spirit levels, and that he had better fine them for having those articles. The Inspector told them that if they gave him any more impudence, he would fine them \$1,000 more. This is the kind of treatment the settlers had to bear when they came up here.

34838. Did prosecutions take place for keeping the spirit levels?—No. Inspector Steele said no more; because everyone knew he was the biggest drinker in the whole country. Another fact that hurt the Territories was this: that grand people were able to travel through the country and get their wine and beer, while the settlers were obliged to drink impure water.

34839. Do you think prohibition in the Territories was practically class prohibition?—It was most decidedly so. Tom White, when he was up here, could obtain wines, while the settlers, like dogs, could not get a glass of beer without cringing for a permit.

34840. You think the license law is more in the interest of the community as a whole?—Yes, for everybody.

*By Rev. Dr. McLeod:*

34841. You have spoken about prohibition in Iowa, I believe?—Yes.

34842. What years were you there?—From 1873 to the spring of 1875, when I came to Canada, to Port Arthur.

34843. There was hardly prohibition in Iowa as far back as 1875, at all events it did not amount to much. Have you been there since 1884?—No, I have not been there since.

34844. In 1884 there was a prohibitory law enacted and it remains the law still in that State. Would you think it evidence of success that the people retained prohibition year after year?—I think it was mainly retained for the sake of peace and office. I recollect being at Sheldon at one time. I was well acquainted with the editor of the paper, who was a lawyer and also a member of the Legislature. We were having a long talk about the prohibition law. I said, "What is the use of having a prohibitory law? Look at Sioux City, liquor is sold and there are 150 taverns." He said, "We have to go with the crowd; there are a certain lot of people who are bound to have a prohibitory law."

34845. My idea is that the prohibitory law of Iowa was passed in 1856 and 1857, and did not come into operation till early in 1880?—You are wrong there, because I was on the St. Paul and Sioux City road, and we saw plenty of liquor going through into the State. If you came from Miriam, which was on the road, you would know that there was a great deal said in Dubuque about the withdrawal of the law.

34846. I know there has been prohibition in the State of Iowa since the year 1884?—I know such was the case.

34847. You think that in the North-west Territories prohibition was not a success?—It was not.

34848. Was that because the permit system was so loosely used?—I do not think it was loosely used.

34849. You did not approve of the permit system, I believe, because it made a distinction between certain classes? The farmers should have liquor in their houses, because a little of it might save life. I do not, however, believe in drinking spirits. We are nearly 2,000 feet above the sea level, and we cannot drink spirits as do people on the sea level.

34850. Then you think there is a difference because of the level?—Yes. Our level is 1,893 feet above the level of the sea, and you cannot drink spirits the same as on the sea level.



34851. The license system has been in operation since 1st May. Do you think it is successful?—I have only been in town a week or ten days, and have not observed its operation very closely.

34852. Do the people use light beer here?—They were selling four per cent beer here.

34853. How far from Regina do you live?—Three miles and a half.

34854. Is there illicit sale in that region of the country?—No.

34855. Do you think it would lessen or increase drinking if licensed places were established there?—There are so few settlers there that I do not think any one would think of having a licensed place there.

34856. Would it not be a convenience?—I do not think the people want one; when they want a little liquor they can come into the town and get it. I think the people are most temperate; in fact, they are the most temperate people I have ever met.

34857. Is your objection to prohibition an objection on principle, or because, in your belief, it is not practicable?—It is impracticable, and the people are supposed to have the making of the laws in any civilized country. It is entirely out of their province to say what a man shall eat and what he shall drink. A man is a free agent, or he is not a man at all.

34858. Do you think the majority have no right to dictate as to what laws shall govern the liquor trade?—No, I think it is against christianity.

34859. It has been stated that licensed places are a menace to our young men and boys. Do you think there is anything in that?—I would not send a young man into a tavern to get liquor for me if I wanted any, I would send a man—I would never send a boy.

34860. If some people believe it a menace to their children, do you not think that their wishes should be considered?—If home influences will not make a boy temperate, all the laws in the world will not do so.

34861. Might they not help?—No; I do not think so.

34862. Then you think the law does not help to make a man better than he otherwise would be?—No.

34863. Is that true of all laws?—No; but a man does not like to be dictated to.

34864. Therefore, all laws that are passed which are not needed are dictatorial?—Of course, the law is a terror to evil-doers, but the bulk of the people do not think that they should be dictated to as to what they shall eat and what they shall drink.

34865. Then in this matter you would have every man a law unto himself?—I think so.

34866. Do you think it would be an advantage to have it that way?—Yes.

34867. Would it help to bring about a better condition of things if the trade were not established?—Then the condition of things would be a great deal worse.

34868. You think the condition of things is more favourable if the trade is established?—I think, under these conditions, better liquor is sold.

34869. Do you know whether the license laws generally are observed or not?—No.

34870. Here or anywhere else?—As my experience has been largely here, I could not tell you.

34871. Have the laws been pretty well observed where you have been?—I think, as a rule, the laws have been well observed.

34872. Do you know whether the licensees sold on Sundays and after hours?—I have known of that being done in some places. In staying at large hotels, you could not tell whether the people were guests or not, but no doubt they do violate the law to a certain extent.

34873. So the license law is not only not observed, but violated?—Yes; the fault is that the police are not given any opportunity to catch the offenders.

34874. So, in regard to the license law, you have the same objection to it as you have to a prohibitory law, because you think it would be violated? If the license law is violated, do you object to it on the same ground as you do to a prohibitory law?—No.

GEORGE ARKLE.



34875. You have said that a prohibitory law would be a failure, because it would be disregarded; why, then, do you not think the license law a failure?—I do not consider it is a failure. The prohibitory law has nothing to do with it. The ingenuity of man will obtain liquor. It can be made out of almost anything, and anywhere.

34876. Can you make it out of potatoes, molasses, &c.?—Yes; a German doctor says that it can be made out of sawdust.

34877. I think you did not quite answer my question, whether you objected to the violation of the prohibitory law and did not object to the violation of the license law, and declared it would not be a failure, on the same ground?—If I lived in town, and it was after closing hours and I wanted a drink, I would not endeavour to get it. If, however, I could get the drink, I would take it.

34878. Then you would be a party to the violation of the law?—Yes, and the law is there to punish me if I violate it.

34879. Would that be fair to a prohibitory law? Does not your system amount to this: that, in your opinion, as regards liquor, every man would do very well to be a law unto himself?—No. I consider that it is a benefit to the town, because it gets the revenue.

34880. Do you think the revenue is necessary?—I think so. If the teetotallers would subscribe the money, or a little money, towards the public expenditure, they might benefit the country.

34881. You think a license law is necessary for revenue purposes?—Yes.

34882. Did you ever think of this, how much it costs the country to collect the revenue?—There is just as much expense about collecting other revenues as there is in collecting license fees.

34883. Have you ever considered how much it costs the country in one way or another, indirectly or directly, to collect these revenues?—If you want to go into the question of taxation, I might say that I consider the income tax the best way in which to raise a revenue in this country. I think in England the revenue on spirits is more easily collected than any other tax imposed.

34884. Then the tax grows larger in proportion as the people drink?—According to Mr. Goschen, the late Chancellor of the Exchequer, it is so.

34885. Then the country thrives on swollen revenues as the people drink? Do the people thrive in proportion as they drink?—It might be so in some cases.

*By Judge McDonald:*

34886. I understand from what you say that you think a prohibitory law is an interference with a man's liberty?—Yes.

34887. And that the license law allows a man liberty, but prevents him abusing it?—Yes.

34888. Judging from your experience, have you found that the law works fairly well?—Yes.

34889. Do you favour the rigid inspection of liquors under a license law?—Yes.

34890. A very rigid inspection, I suppose?—Yes.

34891. To see that proper liquors are sold to the people?—Yes.

34892. Have you ever considered the question of a high license law?—That is a matter that the State should determine.

34893. You have not considered that question at all?—No, I have not. When I was on the Grand Trunk Railway liquors were a York shilling a gallon. During later years I was west of Thunder Bay and the road was under the Public Works Act, and there was less drinking and the men saved more of their wages. When we were between Thunder Bay and Winnipeg there were from 100 to 1,000 men employed. At that time liquor was brought across the boundary, and there was less drinking on the Canadian Pacific Railway; I am now speaking of the work between Thunder Bay and Clarke River.

JAMES HARVEY, of Indian Head, farmer, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

34894. How long have you resided in the North-west Territories ?—Since 1882, about 10 years.

34895. Did you come here from one of the other provinces ?—From Ontario.

34896. From what part ?—From the County of Peel.

34897. Since you came to these Territories have you always lived at Indian Head and the neighbourhood ?—Yes.

34898. What has been your experience of a prohibitory law in the North-west Territories ?—When we came up here it was prohibitive, and it worked fairly well.

34899. Were the Mounted Police stationed in that section ?—They were all through the country, and they searched every settler's wagon.

34900. They searched the wagons to make sure that no liquor was brought into the country, I suppose ?—Yes.

34901. Did you know of any case where liquor was found ?—Not personally.

34902. Are you yourself favourable to prohibition ?—Yes.

34903. Had you reason to suppose that the law was well observed among the people in the country ?—I think it was at that time.

34904. Was there a permit system in force at that time ?—I do not think there was very much liquor brought into the country.

34905. After a time, did you find that the liquor began to increase in quantity in the community ?—Yes, I think it did. I heard some of the people talking about getting it.

34906. Were you told that the people got liquor under permit ? Did they club together and get liquor brought in ?—Yes.

34907. Have you seen anything of that kind ?—No.

34908. Are you a total abstainer ?—Yes.

34909. Were you so when you came to this country first ?—Yes.

34910. So you individually would have no part in such a matter ?—No.

34911. Have you had any experience of a prohibitory law anywhere else ?—No.

34912. Do you think a general prohibitory law, a law prohibiting the manufacture, importation and sale of intoxicating liquors for beverage purposes in Canada, could be effectually enforced ?—I see no reason why it should not diminish liquor to a great extent in regard to its sale, and thus carry it out to a certain extent.

34913. Taking the province of Canada, Ontario, from which you come, judging from the habits of the people there, do you think a general prohibitory law, if passed, could be enforced there ?—I think there is no doubt but that it would diminish the sale of liquor and the consumption.

34914. In case of the enactment of such a general prohibitory law, would you favour the granting of compensation to brewers and distillers for loss of plant that would be rendered useless ?—No ; I do not think so. I would rather see the widows and orphans compensated for their losses through the licensing of the traffic.

34915. You are opposed to the license law, I suppose ?—Yes.

34916. Do you consider the licensing of the traffic to be a sin ?—Yes ; I do not think it is right.

34917. So you are opposed to a license law, not only on the ground of expediency but because you think it is wrong of itself ?—Yes ; I think it is wrong of itself.

34918. Have you had any opportunity of observing the working of the license law since it has come into force ?—Yes, a little.

34919. How did you find it work ?—I find it increases the drinking.

34920. Are there many licenses at Indian Head ?—There is one.

34921. Is it held by an hotel ?—Yes.

34922. Do you think there is more liquor drunk in that section now ?—Yes ; there has been more drinking there since the four per cent beer was introduced.

JAMES HARVEY.

34923. How long ago was that?—In 1888 or 1889.

34924. From that time, in your opinion, there has been an increase of drinking?—Yes.

34925. Has it increased since May?—It is still increasing.

34926. Do you think there is more drunkenness?—Yes. Under prohibition when we first came to this country, we would never see a drunken person.

34927. It has been stated that the people in the Territories were in the habit of using pain-killer and other compounds?—I have heard of the use of pain-killer.

34928. Have you ever seen it used?—No.

34929. Then you know this simply from hearsay?—Yes.

34930. Do you know anything as to the quality of the liquor brought into the Territories at that time, whether it was of an impure character or not?—I know nothing in regard to that matter.

34931. Was there any illicit sale carried on throughout the country?—I know nothing about that matter.

*By Rev. Dr. McLeod :*

34932. Of the three systems: the permit system of early years, the four per cent beer system, which practically abolished the permit system, and the license system now in force, which did you think to be most conducive of the sobriety and well being of the community?—The permit system of early years a hundred times over.

34933. We have had it in evidence that once in a while in a place where prohibition exists, there is a tendency on the part of the men to get drunk. Did it have that effect on you?—I do not think so.

34934. So you were proof against the inducements of prohibition?—Yes.

JAMES BROWN, of Regina, Secretary of the Board of Education, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

34935. How long have you resided in the North-west Territories?—About 10 years.

34936. Where did you reside before you came to the Territories?—I was about three months at Winnipeg and about 10 years in Montreal.

34937. Are you a Canadian?—No; I am a Scotchman.

34938. Have you ever lived in any other country than Scotland and Canada?—No; but I have travelled a good deal.

34939. Have you been in any other prohibition country than the North-west Territories?—Yes; I have been in Maine and Vermont several times.

34940. Was it merely passing through?—It was passing through.

34941. Did you stay in those States at all?—I remained a week at Portland, Maine.

34942. How did you find prohibition work there?—The people got liquor in by the back doors.

34943. And how was it in Vermont?—It was the same thing.

34944. Taking your experience of 10 years in the North-west Territories, have you resided at Regina all that time?—Yes.

34945. How did you find prohibition work here: was it effectually enforced?—No, it was not.

34946. Was liquor to be obtained for beverage purposes?—Yes.

34947. It has been so stated to us to-day?—Yes, and it was of very bad quality too.

34948. We have been told that people would use pain-killer and eau de Cologne?—I have never seen cases of that kind.

34949. It has also been stated that there was a considerable quantity of liquor smuggled in, and that that smuggled liquor diminished after the permit system was introduced? I have heard of such cases, of smuggled liquor being brought in in quantities.

34950. Was liquor brought in, under the permit system, of a poorer quality than that smuggled into the Territories?—I believe so.

34951. Taking the people as a whole, and your observation of them, have you seen an increase of what might be called a tendency to drink, among the people since you came here?—I cannot say so.

34952. Has this been a sober community throughout the different years?—The people have been more sober since the license system came in. I believe at the Lansdowne Hotel there has been less drinking under license than there was before.

34953. We have been told that under the prohibitory system permits for liquor would be obtained and having got them, the parties would invite a few friends, with the result that when the liquor arrived there would be a prolonged period of drinking?—I have heard of that.

34954. Is there any truth in that allegation?—I have heard that such was the case.

34955. Judging from what you have seen of the prohibition system, the permit system and the license system, which do you think preferable for a community?—I think the license law.

34956. It has been charged by a witness here this morning that the working of the permit system was in favour of a class who got liquor more easily than other classes of the people. Do you know whether that was the case or not?—I have had a little experience in respect to the granting of permits.

34957. As a citizen, have you had any experience?—I have heard that some people could not get permits, while others could do so. I do not know of any special cases.

34958. Judging from your experience of the prohibitory law in the Territories, do you believe that a general prohibitory law, a law prohibiting the manufacture, importation and sale of intoxicating liquors for beverage purposes, could be effectually enforced in Canada?—I do not.

34959. In case such a law were passed, would you deem it right that brewers and distillers should be remunerated for their loss of plant?—I think so.

34960. A question that has been considered is the treatment of the persistent drunkard, the man who is constantly before the police court and is sentenced for short terms of imprisonment. It has been suggested that if such people were locked up for some length of time in an institution for inebriates, much good might be done. What is your opinion on that matter?—I think that would be interfering with the liberty of the subject.

34961. You think it would be better if such men were kept running from the saloon to the police court and then to the jail and back again to the saloon and so on?—I think some effort should be made to reform them.

34962. It has been suggested that by putting a persistent drunkard in an inebriate asylum he might be reformed, and if he was not reformed, he at all events would be out of temptation?—Yes.

34963. Do you think it would be well to deal with a man in such a manner so as to reform him if possible. Would you hope to reform such men by the mere enactment of a prohibitory law?—No.

34964. If a prohibitory law were enacted, would you hope to enforce it with regard to such men?—I have had no experience with regard to confirmed drunkards, and so I really could not say how far you could go in that direction.

*By Rev. Dr. McLeod :*

34965. Do you think prohibition was enforced in any degree in the Territories under the old law?—It was enforced to a certain extent. If they wanted to get liquor in openly, that is honestly, they had to get permits. I have heard of several seizures of liquor coming into the Territories without permit.

34966. Then you think that the prohibitory law was not very effectually enforced?—I think so.

JAMES BROWN.



34967. Do you think that that was because the prohibition was wrong, or was it due to the permit system? I think the sentiment of the people was against prohibition.

34968. How do you arrive at that conclusion?—Take the last election to the Legislative Assembly: one of the leading questions was the liquor question, and the majority of the constituencies sent as representatives men who adopted a license system. I consider that they represented the general sentiment of the people.

34969. We had in evidence to-day from two members of the Assembly, the leader of the Government and the representative of this district, that the question of license *versus* prohibition was not the chief issue at that election?—It was one of the chief issues, to my mind.

34970. I think the leader of the Government said, and I am not sure but that another witness said practically the same, that at the time that question was not to the front?—It was pretty much to the front in Regina at that time, because I attended two lectures by Mr. Spence while the election was going on.

34971. Both of the members said that the representatives did not go to the Legislature charged by the people to repeal the prohibitory law and enact a license law. At least that was their testimony. Why do you think that license is preferable?—Because I think that a man should be left to have his own opinion on that subject. It would be very much better to have a license system so that a man can go and get liquor openly and honestly, and not go in by the back door, as they do in some places.

34972. You think the people should have their own opinion on this subject, I suppose?—Certainly.

34973. Do you think it right for people to have an opinion unfavourable to license?—Certainly.

34974. If such people were in the majority, would it be right for their opinion to prevail in legislation?—No, I do not think that on that subject, the Government have any right to interfere, unless a man goes to such an extent as to be a nuisance to the community.

34975. Then they have a right to interfere with him, I suppose?—I think so.

34976. Do you think the Government has any right to interfere with the licensing of the traffic?—I do not think that the Government has any right to interfere with my having liquor if I want it.

34977. I mean in dealing with the trade?—I believe in the license system.

34978. Do you think that the Government should interfere with the trade beyond licensing it?—I would have them go so far as to see that the liquor sold was pure.

34979. Then you would have the inspection of liquors?—Yes.

34980. By what right would the Government interfere even that far?—Because they look after the adulteration of food; there is a regular Adulteration Act.

34981. You say there should be no interference with a man's rights in this matter. How is it, then, that the Government are able to say to a certain number of people, you may sell; but to others you may not sell? What right has the Government to say that everybody in Regina shall not sell, but that only half a dozen shall sell?—Because they think that a half dozen men can supply a sufficient quantity of liquors to supply the needs of the town.

34982. If the Government said that they would not allow even those half dozen men to sell, would they be acting wrongly?—I think they would be wrong.

34983. You think the license law is preferable, because men will have drink and places should be established where they could get it?—Yes.

34984. But you would interfere with men who drink excessively and become nuisances?—Yes.

34985. Is that not an interference with a man's rights?—To a certain extent it is.

34986. But I suppose, when he becomes a burden to the community, he should be taken care of?—I think so.

34987. If the people to a large extent believe that the liquor traffic is a nuisance to them, have they the right to deal with it, as you would give them the right to deal with one man?—If the sentiments of the people were overwhelmingly in that way, they would do so.

34988. Then the voice of the people would be law?—I believe the government of this country is that of the people for the people.

34989. You are Secretary of the Board of Education, I understand?—Yes.

34990. Is there a Superintendent of Education?—Yes.

34991. You are Acting Superintendent; do you fulfil the office of Superintendent?—Yes.

34992. Have you supervision of the schools?—Yes, with my Inspectors.

34993. What is the district covered by you; is it the whole of the North-west Territories?—The three provisional districts.

34994. Have you an Inspector in each?—We have four Inspectors.

34995. For the whole territory?—Yes.

34996. Then you have general supervision of the schools, and the Inspectors act under your direction, I suppose?—Yes.

34997. As Superintendent of Schools and Secretary of Education, and practically Superintendent, you are interested in the young, of course. Have you observed that in some places laws are enacted which prohibit the establishment of liquor saloons within certain distances from school-houses?—No, I have not.

34998. That is true of a great many States and of a great many communities in the States, that the sale of liquor is prohibited within certain distances of the school-houses or seminaries. Is that a wise provision?—I should say it would be.

34999. Why is that wise?—I suppose the intention is to keep away the liquor from the young.

35000. Is that not an interference with the rights of the young?—I think not. They are under the charge of teachers and parents until they reach manhood.

35001. You think that liquor should, however, be kept at a distance from them?—If they are rigidly taught by teachers and by parents, they are safe against established liquor places.

35002. Do you think that liquor establishments planted in a community are temptations to the people roundabout?—I do not think so.

35003. Why are they not established here, then, near the school-houses?—It is to bring up the young in a proper way and to keep them away from temptation.

35004. Then such a place is a temptation?—Yes.

35005. Is it a temptation elsewhere?—I do not know.

35006. It seemed to me that possibly, since you have to deal with education, and as you deem that the existing places might be a temptation to the young, you might have considered whether if such a place is a temptation to people who, like the young, are weak and unwary and easily led astray?—I should think that with weak people it would be so.

35007. I understand you object to prohibition on principle?—Yes.

35008. Whether it is practicable or not, you object to it on principle?—Yes.

*By Judge McDonald :*

35009. In regard to the question put to you by Rev. Dr. McLeod as to the sins of the community in regard to drink and the sale of drink, and in regard to the man who becomes a slave to it, two modes have been suggested of dealing with them. One mode is this: take a factory, where 200 men were employed, one of whom was a persistent drinker and the other 199 men used liquor in moderation, some, perhaps, being total abstainers. The question arises, whether it would be right to prevent these 199 men from obtaining liquor, although they use it in moderation, on account of this one drunkard; or whether it would not be better to adopt the second mode, of leaving them at liberty to enjoy liquor in moderation under a license system, and put the drunkard away. Taking a case of that kind, which would you consider the right mode?—I would say put the one man away.

35010. You would put him out of the reach of liquor rather than remove that liquor absolutely from the 199 men who use it in moderation?—Certainly.

JAMES BROWN.

*By Rev Dr. McLeod :*

35011. Do you regard drunkenness or the excessive use of liquor as the only harmful thing that results from the use of strong drink, or are there other evils that result indirectly from it?—The excessive use of strong drink would lead a man to lose his self-respect.

WILLIAM HENDERSON, of Regina, architect and engineer, on being duly sworn, deposed, as follows :—

*By Judge McDonald :*

35012. How long have you resided in the Territories?—Nearly 14 years.

35013. Have you resided all that time in Regina?—No ; part of the time I was at Battleford, and part of the time at Qu'Appelle, and part of the time at Lethbridge, and part of the time at Regina.

35014. Where did you reside before you came to the North-west Territories?—At Ottawa.

35015. In Ottawa in those days, as now, was there a license law?—Yes.

35016. Did you, before you came to the Territories, live in any country where there was anything but a license law?—I have always lived under license laws.

35017. What is your position in regard to the license law : do you support it, or do you oppose it?—I prefer prohibition.

35018. Do you look upon the licensing of the traffic as wrong in itself?—I do not think it is sinful.

35019. Do you look upon it as something expedient?—Yes.

35020. Therefore, you prefer prohibition. But if you could not obtain prohibition, would you rather have license?—Yes ; that is the next best thing.

35021. From your experience of the prohibitory law in the North-west Territories, did you find it successful?—I did not.

35022. It has been stated here to-day that pain-killer and eau de Cologne were sold at that time. Have you any knowledge of that?—No ; I believe such statements have been made.

35023. But you have no personal knowledge of the fact?—No.

35024. You do not take liquor at all yourself, I suppose?—No.

35025. So personally you are unaffected by the permit system or the license system as regards the use of liquor yourself?—Yes.

35026. Have you noticed any change in the community since the license law was adopted?—I think there is more liquor consumed ; that is to say, I see more people using liquor than I did before.

35027. In case of the enactment of a general prohibitory law, would you favour the granting of compensation to brewers and distillers for loss of plant and machinery rendered useless?—I think so, since the people give them licenses.

35028. In case prohibition was not enacted, would you keep the number of licenses down to a small number?—Yes, with very high license fees.

35029. Would you favour the inspection of liquors, to see that they are of good quality?—As to that, I do not consider any liquors to be of good quality.

35030. Still you think that a man who buys liquors is entitled to get what he pays for, I suppose?—That all depends on what you consider to be good or bad.

35031. And you think it is all bad?—I do.

*By Rev. Dr. McLeod :*

35032. You have observed the three systems in operation here : the permit system in early days, and then the four per cent beer system, and now the license system?—Yes.

34033. Which do you prefer?—The first named.

35034. Because that was practically prohibition?—Yes, and it did practically prohibit; it was almost a prohibitory law.

35035. I think you said that you are an architect and engineer?—Yes.

35036. So you come in contact with mechanics and labourers?—Yes.

35037. Have you noticed that the drink trade and the drink habit have any special effect on mechanics and skilled labourers: has it a bad effect, in your experience?—Yes.

35038. Where did you carry on operations before you came to the Territories?—In Ottawa.

35039. Did you observe there that the drink habit had any injurious effect on skilled mechanics?—I did.

35040. Taking your experience and observation of the situation there under the license system and comparing it with your experience and observation of the early prohibition laws in those Territories, how do they compare?—The results would be in favour of the early system here.

35041. You think the results were favourable to prohibition here?—I think so.

35042. Have you been at any time a considerable employer of labour?—I have not for myself.

35043. You have been superintendent of labour, I suppose?—Yes.

35044. Did you observe that the men with drinking habits lost time for that reason?—Yes.

35045. When I say the drink habit, I do not mean alone the man who drinks to excess and gets drunk, but I refer to men who drink steadily, whether they ever get drunk or not?—Men who drink steadily and right along generally attend to their work better than those who get drunk. Some men can drink right along steadily, and yet keep at their work.

35046. Have you observed that men who drink right along, by and by do not possess the same wage-earning power?—I have observed that if they continue right along, they generally get where the other men are.

35047. Do you believe that instead of changing the system and allowing four per cent beer to come in, it would have been better to have returned to the early prohibitory system in this country?—That is my opinion.

*By Judge McDonald:*

35048. Do you think that in making a comparison between the license system and the working of prohibition, it is fair to take the city of Ottawa and the North-west Territories as the two places between which to make a comparison?—No.

35049. Are not the surroundings between the two communities and the two sections of the country entirely different?—Yes.

35050. Speaking of men who drink continually, you say that you find that such men while they may do their work regularly, ultimately fall into the habit of drinking to excess. Have you not known in the course of your experiences a great many men who perhaps take a glass of ale every day and who never become drunkards?—Yes; but I consider that those are most dangerous, those are men who generally lead others who have not the same force of will.

35051. Take a case of that kind; are there not many men who never go beyond a certain limit?—I believe there are.

35052. Then your references were really meant for those men who drink to excess. When such is the case, the liquor proves harmful to the man and impairs his working power, I suppose?—Certainly.

*By Rev. Dr. McLeod:*

35053. Do I understand you to say that the man who drinks occasionally and never to excess, injures those who are weak and exercises evil influences over them?—Yes; they have a tendency to lead men away, those who have not the same powerful will, and are not able to resist temptation.

WILLIAM HENDERSON.



THOMPSON COOK JOHNSTON, of Regina, barrister, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

35054. How long have you resided in the North-west Territories ?—Over 10 years.

35055. Have you resided all that time in Regina ?—Yes.

35056. Did you come here from one of the other provinces ?—Yes ; I came here from Ontario.

35057. From what part of the Province ?—I lived 10 years in Toronto before I came here.

35058. The license law was in force there, I believe ?—Yes. I lived there during the time the Dunkin Act was in force in parts of the province.

35059. How did you find it work in regard to securing prohibition ?—I acted as prosecuting counsel for two years in York, and I found the Act to be a failure.

35060. What has been your experience in the North-west Territories in regard to the prohibitory law ?—Prohibition has not been carried out in the North-west Territories at any time.

35061. Has it been effectually enforced ?—No, it has not been effectually enforced.

35062. What has been the difficulty in enforcing it ?—I believe it would be impossible to enforce prohibition in any country.

35063. Taking the North-west Territories as they are, and the system which is said to have existed here of giving the Mounted Police a right to search houses and also the persons of the people, can you conceive of a country where the Government have carried out a prohibitory law ?—No, I cannot.

35064. Was the law carried out in this section ?—No. The Government had every facility for doing so ; they had the Mounted Police, and also at that time there was a sparse population in the Territories.

35065. Yet it was not a success ?—Quite so.

35066. From your experience of the Dunkin Act in Ontario and the prohibitory law here in the Territories, do you think a general prohibitory law could be effectually enforced in Canada ?—Not without very great expense.

35067. Would that expense provide for the maintenance of a large police force ?—I think it would take one-half of the people of Canada to look after the other half.

35068. Would it require the same domiciliary visits and the searching of persons and of houses to make it a success ?—Yes, I think so.

35069. In case such a law were passed, should the brewers and distillers be remunerated for their plant and machinery that would be rendered useless ?—In certain cases, I think so ; where the plant could not be used for any other purpose.

35070. Have you observed the operation of the license law since it came into force ?—Yes.

35071. How does it appear to work ?—It appears to work fairly well. I do not think, however, that it is any better enforced than the prohibitory law was here.

35072. Is there lack of enforcement ?—I am in favour of a strict license law and high license, and I believe in the enforcement of such a law you have the true remedy.

35073. Would you favour a rigid and frequent inspection of the liquor sold ?—Yes, and of the places where it was sold.

35074. Was it during the prohibitory period that a great deal of liquor was smuggled into the country ?—Yes.

35075. It has been stated here to-day that people were in the habit of using pain-killer and eau de Cologne and other preparations ?—I have heard of that being done, but I never saw those articles used. The people generally were able to get all the whisky they wanted round Regina, without resorting to such articles.

*By Rev. Dr. McLeod :*

35076. You spoke about having some knowledge of the Dunkin Act. When was that ?—About 1877 or 1878.

35077. In what County ?—In the County of York.

35078. That is near Toronto, I believe?—Yes.

35079. How long was the Act in force there?—I suppose something over two years.

35080. What were the chief difficulties of enforcement in York County?—The Act was not sufficiently strict.

35081. Was there a good deal of litigation in connection with the Act?—Yes, I think I had about \$300,000 in fines in one township during six months.

35082. Were those fines collected?—Yes.

35083. The litigation grew out of the prosecutions, I suppose?—Yes.

35084. Was it the effect of the operation of the Act that caused its repeal?—I think it had the effect of repealing the Act; it was found to be unsatisfactory.

35085. Was a year or so a fair test of what could be done?—No; I do not think it could be said to be a test at all.

35086. I think you have said that it is not possible to enforce prohibition any where?—I think not.

35087. Can you say why?—Because the desire for liquor is there, and the sentiment of the people is against enforcing such a law, and people will soon find some means of obtaining liquor.

35088. You think the desire of the people is so strong that they would violate the law?—I think so.

35089. Is it possible to enforce such a law against that desire, with proper officials and facilities?—It would be possible to do it, if there were proper officials and a sufficient number to prevent it. The number of officials would have to be sufficient to be able to catch every one that used liquor.

35090. We had it in evidence by the Inspector of Licenses in Halifax that the only way to compel licensees to observe the provisions of the license law was to have an officer stationed in each place to watch the licensees?—You would require something like that.

35091. You think that each man wanting to drink would have to be watched, or he would violate the law?—I would not go that far.

35092. You would want an army of officials to watch every one, I suppose?—Yes.

35093. Is your objection to prohibition an objection to the principle of prohibition, or to prohibition because of its impracticability?—I believe in temperance, if it could be enforced.

35094. Do you think that even the somewhat feeble attempt made to enforce prohibition in the early days in the Territories was, in any degree, successful?—It succeeded to a moderate extent. Of course, where liquor was seized, it was so far successful.

35095. The only trouble was that the law was not enforced?—It was not enforced.

35096. Do you think the weakness of the law resulted in any degree from the use made of the permit system?—No; I do not think so.

35097. Did the permit system bring about this condition: that the law as regards a certain portion of the people was not effective, while as regards another class it was effective, because they could not get permits?—Yes.

35098. Did that make an unhappy state of things and cause friction? Not to so great an extent as to cause all the smuggling. Perhaps a man had a permit for five gallons and smuggled in fifty gallons more. To that extent the permit system was bad.

35099. Certainly the permit system destroyed the effect of prohibition? So far as permits were concerned, but if there had been no permits issued, liquor would have been consumed.

35100. Do you think as much would have been consumed?—Not as to certain individuals; I think the others might have consumed as much.

35101. I remember reading in the report of Colonel Herchmer, in 1887, the following, in substance: that the permit system should be done away with and the technicalities respecting the law removed, if the law was to be enforced. He seemed to think that the use of permits and certain technicalities arising from a series of prosecutions caused obstructions and prevented the efficient enforcement of the law. Did you observe any thing of that kind?—I read that statement, and thought there was a great deal in the way he found things.

THOMPSON COOK JOHNSTON.

35102. Would not the abolition of the permit system have enabled the officers to have carried out the prohibitory law to greater advantage. It appears to be his view that the permit system was such a check to prohibition that his officers could not well enforce the law?—I would not go that far.

35103. He seems to say so in substance. I noticed also in the same report for 1887, that Superintendent Cotton, reporting from Battleford, said that every drop of liquor which came into that section came in under permit, and that there was no liquor smuggled. That officer appeared to have prevented smuggling. Do you think that was a correct statement?—It is very likely.

35104. Then it seems that the Mounted Police under certain conditions were able to prevent smuggling?—For the same reason that there was no liquor smuggled to the northern part of the Territories. Battleford is far away from the port of entry or any point where liquor could be brought in, and liquor would be liable to meet three or four detachments of police before it reached there.

35105. Do you think that in such a part of the country liquor would be prevented from being smuggled in?—I do not say that. I say it would be impossible that any liquor would be smuggled into Battleford. The smugglers could sell their liquor ten times over in Regina, and it was not necessary for them to take it as far as Battleford.

35106. And he would obtain profit in doing so?—Yes.

35107. Have you noticed a difference between the present license system and the permit system; is there any difference in the condition of things under the two systems?—I should not like to say which was the worse.

35108. Then that means that they are both bad?—Do you mean as to effects?

35109. Yes.—I do not see much change.

35110. Not more or less drinking under the license law than under the old permit system?—I do not see as to effects, that there is much change to-day as compared with the permit system; at least there is no more drinking to-day than there was then.

35111. Then where is the benefit of the present system over the other?—If the present system was enforced, drunkenness would be done away with altogether.

35112. Do you think it is not enforced?—It is not enforced; if it were, a drunken man would not be seen on the streets of Regina. Men are occasionally seen drunk on the streets.

35113. Whose fault is it?—That of the officials. They should take means to ascertain where they obtained the liquor, and the vendor should be prosecuted.

35114. Would it follow that when a man is seen drunk, a licensee has violated the law in selling that man liquor?—I think so.

35115. Does it follow, then, that the license law is any more successful than prohibition and the permit system?—No. But the one system can be enforced and the other cannot; one is practicable, and the other is to my mind impracticable.

35116. You think license is practicable?—I think so; that is, at all events, to a greater extent than prohibition.

35117. How do you come to the conclusion that a license law is practicable in the face of your own statement that its provisions are violated, and the city has officers to see that it is enforced?—Those men have not done their duty, because there have been no violations punished, and it is in evidence that violations have taken place.

35118. Then you think it is the fault of the officials and not of the system?—Yes, the fault of the officials. I think the system can be enforced.

35119. Were the violations of the old prohibitory law the fault of the officials rather than of the system?—A man could get drunk in those days on smuggled whisky or on liquor brought in under permit, and the police could not ascertain how he got the drink.

35120. Does the present license law provide for the punishment of the man authorized to sell and who sells to a customer until he gets drunk?—I could scarcely answer that question. A man, of course, can buy drink, but he cannot go into a licensed place and drink until he gets drunk.

35121. So a license system does not prevent sale to a man of a sufficient quantity on which he can get drunk, but it simply prohibits sale to a man if he is drunk?—There are separate licenses. Under a wholesale license, a man cannot sell less than a quart

Under a retail license, the licensee cannot sell to a man who is drunk, or to a man interdicted, or to a man addicted to liquor.

35122. So you think the law has evidently not been enforced because there has been sale to men addicted to liquor?—I think if the Inspector in a municipality were to undertake to enforce the law, he could do so, whether the dealer was a wholesale or a retail dealer.

35123. Judging from your observation of the license law here and elsewhere, do you think it is well enforced?—Yes, fairly well enforced: it is as well enforced here as it is in Toronto.

35124. It is not enforced here very well, I believe?—I have never seen it broken here as regards sale after hours or anything of that sort.

35125. I thought you said it was violated, and that it was the fault of the officials?—That was as regards drunkenness.

35126. Then you think it is as well enforced here as in Toronto or anywhere else?—Yes.

35127-8. Here is a section of the Liquor License Ordinance of the North-west Territories, 1891-92. Section 68 says:—

“If a person licensed under this Ordinance permits gambling, drunkenness, or any violent, quarrelsome, riotous, or disorderly conduct to take place on his premises, or sells or delivers any intoxicating liquor to any drunken person, or permits and suffers any drunken person to consume any intoxicating liquor on his premises, or permits and suffers persons of notoriously bad character to assemble or meet on his premises, he shall (in addition to any other punishment provided by law) be liable to a penalty of not less than twenty-five dollars nor more than fifty dollars, and, in default of payment, to not less than one or more than two months’ imprisonment.”

Do you think the licensees have observed that section?—There are other clauses in addition to that.

*By Judge McDonald:*

35129. There is a clause respecting interdiction, I suppose?—Yes.

*By Rev. Dr. McLeod:*

35130. Then it is provided that there may be interdictions?—Yes.

*By Judge McDonald:*

35131. Do you think that this clause meets with public favour, and that the sentiment of the people favours the clause in the license law which prevents sale to certain people?—Yes.

35132. Are you able to say, from your experience as a lawyer and as prosecutor under the Dunkin Act, that the weight of public sentiment in favour of the one is much greater than the other, that is between license and prohibition; and that it is much easier to enforce the license law, because the weight of public sentiment is in its favour?—I think so.

*By Rev. Dr. McLeod:*

35133. It seems that public sentiment does not insist on the enforcement of this clause of the license law?—I do not think it is my place to inform against any one.

35134. You think it is the duty of the officials to enforce the law?—Yes.

35135. I notice concerning the old law that Superintendent Perry says in his report for 1888, as follows:—

“It will be difficult to prevent the sale of beer of greater alcoholic strength. None but a chemical expert could determine the amount of alcohol in any particular beer, and therefore in this district it would be difficult to obtain a conviction for selling a stronger beer than that licensed.”

—We analysed ginger wine and small beers.

35136. With what result?—The ginger wine was found to contain  $2\frac{1}{5}$  per cent of alcohol and the others contained 5 per cent.

THOMPSON COOK JOHNSTON.



35137. Superintendent Perry also says:—

“The criminal returns for the North-west Territories should be very carefully studied before too hastily condemning the present liquor law. The early effects of the law are acknowledged by all to have been most beneficial, and to have been the chief cause of the peaceable settlement of the country.”

—That depends on the portion of the country in which he resided.

35138. He was residing at Prince Albert?—He would not have the experience there we have had here.

35139. Then he goes on to say:—

“For three years I have been able to report that the Indians and Half-breeds were particularly quiet and well behaved. What would be the effect of a license system on the French Half-breeds? They are very poor now; but if whisky could be freely obtained, I fear they would be much worse off. They are enfranchised, and have all the rights of any citizen of the country, and can be subject to the same law only.”

That seems to be in accordance with the testimony of Mr. Reed and Mr. Forget, that the license system since it had been introduced, has really been a danger to the Indians and Half-breeds?—Yes; but still if the clauses of the liquor law were enforced, that even would not occur: they could not sell to any Half-breed or Indian until he was drunk.

35140. Is it your observation that licensees refuse to sell to any one having the money?—I have seen them refuse to sell.

35141. Then they did it sometimes?—Yes, sometimes.

35142. Superintendent Perry has given careful attention to these questions?—Yes; I believe he is at present in Regina.

REV. JOHN K. WELSH, of Indian Head, on being duly sworn, deposed as follows:—

*By Judge McDonald:*

35143. What Church do you represent?—I am a minister of the Presbyterian Church.

35144. How long have you lived in the North-west Territories?—Two years.

35145. Where did you live before that?—In Southern Manitoba, at Boissevain.

35146. Where did you come from originally?—From Scotland.

35147. I suppose in Scotland there is a license law in force?—Yes.

35148. Is there any section of Scotland where there is total prohibition?—Not to my knowledge.

35149. You have the Forbes-Mackenzie Act to prevent sale on Sunday, I suppose?—There is no sale on Sunday, except at Berwick, which is of course not in Scotland; it is under the English law.

35150. What system was in force in Southern Manitoba?—A license system.

35151. Is it the same license system as is in force now?—Yes.

35152. Have you ever lived in any other portion of the North-west Territories than Indian Head?—No.

35153. When you went there what system was in force?—The permit system.

35154. Had four per cent beer been introduced?—Yes.

35155. Was there much consumed?—A great deal.

35156. Was it for sale at more than one place at Indian Head?—At other places.

35157. Did any people besides those living in the village, I refer to those living in the rural districts, buy it?—Yes.

35158. On 1st May last the license system came into force, I believe?—Yes.

35159. How many licensed places are there at Indian Head?—One.

35160. Is the license law well enforced there?—It was not up to a few weeks ago, it was not enforced at all.

35161. But it is enforced now?—Yes, better enforced than it was. The former hotel-keeper was of such questionable character that he thought it necessary to clear out of

the hotel or he would have lost his license. Between the time there was a change in the license system and the time he cleared out, he ran the hotel for three or four weeks.

35162. Who is the present man?—The new man, in comparison with the old one, observed the law really well.

35163. You mean that there was a much more satisfactory state of things than there was previously?—Yes, so far as drinking was concerned.

35164. Was that improved state of things continued?—Yes.

35165. Do you think it is preferable to have a licensee who will endeavour to observe the law?—I assume that, as a matter of business, he will live up to the law and that he will try to get the public favour.

35166. Have you noticed any perceptible change since the license law came into force as compared with the condition when four per cent beer was sold?—There was a great deal more drinking when the license law came into force than before.

35167. So the four per cent beer had not the effect of causing as much drinking as the license system?—They had to go about it in a different way.

35168. How?—They drank more at night. There was a great deal more drinking through the night, because the men who wanted to get liquor knew that the law did not allow it. They were afraid to use it through the day so had to use it at night when they thought no one was seeing them.

35169. Was there an eye seeing them?—Sometimes there was.

35170-71. What kind of liquor was it?—Whisky.

35172. How was it obtained?—Sometimes by smuggling and sometimes on an old permit, on the stub.

35173. The permit had run out, I suppose?—Yes.

35174. Then they were acting unlawfully?—Yes.

35175. So the liquor was brought in illegally?—Yes, and was covered by an old permit.

35176. From what point was it brought in, from Manitoba or the United States?—From Manitoba.

35177. So in the day time the people drank four per cent beer and at night whisky, when they thought no eye was seeing them?—I do not know whether they were content throughout the day with four per cent beer.

35178. But at night they would drink whisky?—Yes; that is from my observation and from that of a great many of the men.

35179. The men are more sober now than then?—Yes, there is however, more drunkenness going on under license than under the permit system.

35180. Have you called the attention of the Inspector to that fact?—I do not know of that particular fact.

35181. But this condition has stopped since the new man has come in?—Yes. The Chief Inspector and the District Inspector knew the character of the man who had the license before, and they refused to grant a license any longer; but the licensee, the party who now has the license, went around with a petition and got a number of signatures of parties who had no legal right to put their names to it, and the Commissioners were influenced by that petition to depart from their first decision and grant a license to the man.

35182. Do you know whether, in accordance with section 33, there was a regular protest made against the issue of the license?—There was not.

35183. Did you take steps to have this done?—Not at that particular time.

35184. Did you send in a protest in regard to it?—Not in regard to that case. We did, however, in another case.

35185. Did you succeed?—Yes, in a peculiar way. The first case was that of the Assiniboia Hotel. The petition was sent in signed by, I think, 17 names and purported to be those of the nearest 20 householders. I got a copy of the petition from the local Inspector, and I found that out of the 17 individuals there were 8 who had no legal right to put their names on that petition. It was not necessary to enter a protest, because, according to law, the license could not be granted, and we did not do so. I communicated with the Chief Inspector and requested that the District Inspector should

come down on 1st May and make inquiries in regard to the parties whose names were on the petition. He did not come. We had a committee appointed—members of the Session and of the Church—to wait on the Commissioners. They did so and it was a fight to get the Commissioners to observe that point of the law. In fact one of the Commissioners wanted to grant the license in face of the fact that while ten names were required only nine were obtained.

35186. What did you say?—I was not one of those present.

35187. Then you have spoken from hearsay?—Yes; from the statement of one of the delegates sent by the elders of the session.

35188. You did not take any steps in regard to the man who did get the license, I suppose?—No.

35189. Did he have the required number of names?—Ten names were required, but those who signed it were not of the nearest twenty.

35190. You did not know the twenty names he had, I suppose?—I know some of them.

35191. No steps were taken to prevent him getting the license?—No.

35192. Are you opposed to the license law?—I think it would be a mistake to answer one way or another. A druggist is licensed.

35193. We are at present referring to licenses for beverage purposes?—Yes.

35194. Do you consider such a law is desirable?—I would not like to say definitely.

35195. That is as far as you are willing to go?—No.

35196. If you had to choose between a license law and unrestricted sale, would you rather have a license system?—I do not know. If we had unrestricted sale, we would obtain prohibition much quicker than if we had license.

35197. Do you know of any community where there is unrestricted sale?—The reason the people do not support prohibition is because they do not get the real facts of the case.

35198. You think that, under license, the people do not get at the real facts?—They do not.

35199. And you think that under a system of unrestricted sale they would get at the facts?—Yes.

35200. In regard to the opposition to prohibition on the part of those who drink, I desire to ask whether you think it is a sin for a man to drink?—Not in itself, but it might be in particular circumstances.

35201. Therefore, you cannot class all people under the one head in that regard?—No.

35202. In case of the enactment of a prohibitory law, a law prohibiting the manufacture, importation and sale of intoxicating liquors for beverage purposes, would you favour the payment of compensation to brewers and distillers for loss of plant and machinery?—No, I think not. They are only licensed for one year, and at the end of the year they have to make fresh application for a license.

35203. You would apply that rule to brewers and distillers, notwithstanding the fact that they had to put in special machinery to meet the requirements of the law?—They did so at their own risk, and aware of the fact that the license was only for one year.

35204. Have you considered the question of the treatment of the persistent drunkard?—Yes; I have had frequently to face the fact.

35205. Do you think that it is desirable to continue to send those men to jail for short terms, or should they be dealt with in some other way?—I have thought a little further on than that.

35206. Can you answer the question in regard to the present state of things. We have a license law, and we have such men, and we must endeavour to deal with them?—Take them away from the temptation.

35207. You think that would be a better plan than the present one?—Yes.

35208. And in regard to the future?—The best plan would be to abolish a system that necessitates such a condition.

35209. Do you think prohibition would provide the remedy?—Yes, if it were carried out.

35210. Did you find the same state of things in Scotland in regard to prohibition as you did here in this country?—In Scotland there has been so far a license system in force. Of course, it is an older country, and they had the system of license a much longer time than we have had it here.

35211. Do the people sit down quietly under that system?—Scotland and England are old countries, and they are very conservative. They seem to have a sacred feeling in regard to old institutions, no matter how ridiculous they may be.

35212. Do you believe the license system in Scotland is a ridiculous system?—Yes. Doctors are now beginning to treat people as if alcoholism were a disease. They are treating the people by chloride of gold, and it seems ridiculous for the Government to establish the means of spreading disease by continuing the drink traffic. I think, therefore, that the license system is ridiculous.

*By Rev. Dr. McLeod :*

35213. From your observation as a minister mingling among the people, do you think public opinion, so far as you are able to judge it in the North-west Territories, is against prohibition?—No, I have been told repeatedly by a number of people with whom I have come into contact that in the event of our having a vote on the question of prohibition, as between a prohibitory law and a license law, they would vote for prohibition; and I have not the slightest hesitation in saying that that is the feeling among the majority of the people with whom I come into contact in my pastoral and social relations.

35214. I think you said that liquor was brought in on authority of old permits, on the authority of the stubs of permits?—The way it was done was this. The permit is made in three parts. There were two parts torn out and sent to the applicant. He sent one of them to the party from whom he wished to obtain the liquor, and retained the other part. He would send down one, for example, to the Hudson Bay Company, who would send it back with the liquor. If the liquor was met by one of the constables he would find the permit and take it out and send it to the Lieutenant-Governor's office. The other part of the permit, that which is called the stub, was retained by the hotel-keeper or the party to whom the liquor was sent, and it covered so much liquor. It did not matter whether the person held it to cover that certain liquor or obtained some more liquor, so long as he had a permit to cover the quantity. That was all that was necessary.

35215. Then so long as he held the stub it stood between him and prosecution?—So long as he did not keep a larger quantity of liquor than the stub would cover.

35216. So the cancellation of the permit has really very little effect?—It had really little effect so long as the man could get liquor in with the second part of the permit, and cover it with the stub.

35217. Then all after the first lot he had to get in secretly?—Yes.

35218. Speaking as to the license law, the question has arisen to-day as to whether any of the municipalities have taken advantage of the prohibitive provision of the license law, and the answer given was that they had not. Can you understand why, and what the difficulty was?—The main difficulty was that the law declares that \$200 must be put up before a vote can be taken on the question.

35219. Do you mean that the people wishing that a vote taken must put up \$200?—Yes. Moreover, if it is found that on the part of the two parties there has been some misdemeanour committed, some unfair act done, which it was alleged could be proved, balloting would not be allowed unless another sum of money was paid in by the party who entered the protest. We all know that the temperance people are above doing dirty work, and we all know that the liquor traffic, from our contact with it, only does dirty work; but even if we could show that the liquor men had done that work, we would not be allowed to do so unless we put up certain money. You see the difficulty I am endeavouring to present.

35220. Have you any doubt about the practicability of prohibition in this country, a sparsely settled country, if it were enacted by the Dominion Government?—I do not know. My travelling in the country has been too small to make me acquainted with the different parts of it; but I have it on the authority of those who know and who are able to say and who have gone all over the country, that a prohibitory law could be easily enforced.

REV. JOHN K. WELSH.



35221. Do you think it advisable to have a plebiscite on this question for this part of the country?—Yes, and our own member, Mr. G. S. Davidson, gave the people his word that he would vote in favour of a plebiscite, instead of a liquor law. I was present when he made the statement.

35222. Did he vote that way in the Legislature?—I do not know.

35223. Was the question of a plebiscite brought before the Local Legislative Assembly?—I do not think so.

*By Judge McDonald :*

35224. You have spoken about the framing of this law. Do you think it was framed in the interests of the liquor people?—Yes.

35225. By whom was the law enacted?—By the Legislative Assembly.

35226. How is the Assembly constituted?—By the people's representatives.

35227. Then the people, speaking through their representatives, enacted that law?—Yes. Sometimes the representatives misrepresent their constituencies.

35228. Is it not rather to be supposed that the representatives are pretty careful in gauging the opinions of the people whom they represent?—Some of them take care to do that.

35229. Do you think that others do not?—Yes.

35230-1. Do you think that those who do not voted for this law?—I would not say that.

35232. Still there is a clause that was adopted by the Legislative Assembly providing that if people want to incur the expense of having a vote of that kind taken, \$200 shall be raised and deposited for the purpose?—Yes.

35233. What other system would you have adopted?—Local option.

35234. How would you have the expense met?—Take it out of the funds of the municipality, and let every man pay his proportion.

35235. Take a municipality that contains 200 ratepayers. Of these, 101 propose local option and want it and the other 99 oppose it. Would you put those 99 to the expense of having that vote taken on a question to which they were opposed?—Yes; just in the same way as in our Local Assembly if there was a majority of only one against the Government that would be sufficient to cause a dissolution of the House and an appeal to the people, and the Territories would have to pay the expense.

35236. Take this question from another point of view. You have a municipality in which the people ask for this vote, and when the vote is taken it is found that out of the 200 voters 100 are against local option and only 50 in favour of it. Those 50 have caused a large expense to the community. Should they not bear that expense themselves, instead of all the ratepayers being called upon to pay?—I would hardly favour a vote being taken if there was that proportion against it.

35237. There must be some means of ascertaining public opinion. But you would do away with the deposit of \$200?—Yes.

A. BOWEN PERRY, Superintendent of the North-west Mounted Police, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

35238. What is the jurisdiction of the Mounted Police?—The Territories are divided into divisions, and each district is under a Superintendent, who has charge of the police stationed at that particular place.

35239. What is your jurisdiction at present?—The portion of the Territories surrounding here.

35240. Where were you before you came here?—At Prince Albert and several other places.

35241. Had you any experience of the prohibitory law in the North-west Territories?—Yes.

35242. How long have you been in the Territories?—Ten years.

35243. Was the prohibitory law in force when you came here?—It was.

35244. How did it work?—In the early days it seemed very effective; that was before the introduction of railways. The railways increased very much the facilities of bringing in liquor.

35245. It was not difficult to enforce the law in those days, I suppose?—No.

35246. Was there any smuggling going on?—There was smuggling or attempted smuggling, of course.

35247. Tell us in what kind of packages the liquor was brought in?—Very often in kegs and barrels. The same care was not taken before the railways came in, because the smugglers came across the country and were more easily caught; but when the railways were built liquor was smuggled in with other goods.

35248. Was it brought over the boundary?—Yes.

35249. Have you been at Fort Macleod?—I have.

35250. We understand that in that part of the country a large amount of smuggling was carried on from the United States?—No doubt.

35251. Do you know anything of the character of the liquor that was brought in from the United States?—I have always heard that it was very bad “forty rod.”

35252. We are told that under the permit system attempts were made occasionally to avoid the law by using permits a second time?—No doubt that was attempted.

35253. And also the stubs were used?—Yes.

35254. What was the law in regard to taking up the stub?—It was never required. When a man made application for another permit he pinned the stub to his application, showing that he had had a permit before. Of course it was a fraud if a man got liquor in the country, otherwise than by permit, or he retained the old permit so that he could show it to the police to cover any liquor that he had on hand. Under the extraordinary powers the police had, we could search on mere suspicion. If we found liquor and the man showed a permit, the police could not go beyond making inquiries: there was a certain quantity of liquor there, and there was a permit covering it. It might have been brought in time and time again and the quantity might have been resold, but so long as the man had a permit covering the liquor in his possession, it was practically free from seizure.

35255. So seizures were in this way avoided?—Yes; but this was only done by people who wanted to break the law and sell alcohol.

35256. We have been told that people would bring liquor in under permit and their friends would then assemble, and that there would be a bout of hard drinking. Have you seen anything of that kind? There has been the charge made that this system led to over-indulgence at particular times?—No doubt that was the case. If men who had been accustomed to use liquor had had none for a long time, and then obtained a quantity, the result was likely to be what has been indicated.

35257. Did you know of the use of pain-killer and eau de Cologne in the Territories?—Yes; I have known cases where men have taken eau de Cologne and have even taken pain-killer. That was not general, however; only men who were hard drinkers would use such compounds.

35258. Did you find yourself in a position to stop the giving or sale of liquor to Indians when the permit system was in force?—Our hands were strengthened in that respect by the permit system.

35259. It has been stated that you reported that it was easier to keep liquor from the Indians under the present system than it was under license?—That was before the license law came in. I was speaking of the liquor law as it existed then. I was prophesying what the result would be if the law were changed.

35259a. Had you any experience with the license system in regard to Indians obtaining liquor?—It is very difficult to accurately judge between the permit system and license. The license system only came into force on 1st May, and I have not been able to get the facts on which to base a judgment. I am not prepared to give a definite answer as between the two systems at the present time; I need more facts and more opportunities to form an opinion on that subject.

A. BOWEN PERRY.

35260. The police, I believe, had the right to visit houses and search houses and persons?—Our rights were very extensive under the old system. We had the right to search on mere suspicion. If the search applied to a dwelling-house it was necessary that an officer should give the order; if not, a constable on mere suspicion could search through the place.

35261. Have you yourself, in the discharge of your duties, ever caught smugglers?—Not personally, but my men, acting under my direct orders, have frequently caught them; and I have frequently tried them.

35262. Were they strangers?—Not to the neighbourhood; they were people of the place.

35263. Did you notice the effect of the law during the construction period of the railway?—It was more beneficial during the construction period.

35264. There was a large body of men employed, I suppose?—From 4,000 to 5,000 men were at work on the Canadian Pacific Railway.

35265. I notice in your report of 1888, to which I did not refer before, you spoke of the extraordinary powers of the Mounted Police, the power of search, and then you said those powers had no effect where permits were held. Can you explain why: was that owing to the stubs?—Yes.

35266. You have, I suppose, frequently made searches and have found liquor, but you could not do anything because permits would be produced?—Yes.

35267. You have also said that the introduction of the four per cent beer made your work difficult and trying, because it was almost impossible to determine the amount of alcohol in it. Have you observed whether it did work in that way?—It did to a certain extent. I know at one time, in the early days when permits were not so frequent, that if a man was seen drunk, it was an indication that there was liquor about. Later, however, there were plenty of permits in the country, and if we found a man drunk, it might be four per cent beer that made him so, or it might have been smuggled liquor.

35268. This gave you no clue during later years so as to enable you to exercise the law?—It simply multiplied the difficulties.

35269. Do you think the permit system was the weakness of prohibition?—It was a regulation system; it was personal license instead of general license.

35270. Have you observed whether the record of offences has, since the advent of the license system, increased or diminished?—It is too early to make a comparison.

35271. In 1889, in your report, at page 77, you make this statement:

“The permit system at present fails to regulate the use of intoxicating liquor amongst a certain class. Permits are nominally issued for domestic use only, but too often are obtained with the sole object of selling the liquor thus imported.”

Has the experience of later years but confirmed your experience of that time?—I do not think I was wrong in the statement made.

35272. Do you believe, from your residence in the Territories and your observation, that it would be possible to fairly well enforce general prohibition, if a prohibitory law were enacted and appliances created for its enforcement?—It would depend entirely upon the moral support given by the people of the country.

35273. Have you had any means of ascertaining the public sentiment on this question?—No; I am not prepared to give an opinion about that.

35274. If they were in favour of it, could such a measure be enforced?—If the people were in favour of prohibition, it would be enforced; it could be, as well as any other law. I believe such a law could not be enforced if the public were not in favour of it or in sympathy with it. It simply comes back to the strength of public opinion.

35275. I presume from what you have reported, as well as the statements you have made to-day, that you believe if general prohibition was enforced by the will of the people, fairly well enforced, the effects would be good in the main; that if the will of the people were expressed on a prohibitory enactment and it were well enforced, the effect on the moral and material interests of the country would be good?—I think I will give “Yes” to that question.

*By Judge McDonald :*

35276. You are aware that the license law contains prohibitory clauses ?—It does.

35277. Have you ever lived in Ontario ?—I was born and brought up there.

35278. Was there a prohibitory law in force there ?—No, I think not.

35279. Taking what you know of public feeling, do you not find that there is a greater sympathy with the prohibitory clauses of the license law ?—I think so. I think an upright saloon man would not sell to drunkards.

35280. Or on Sundays ?—No.

35281. Taking the country as a whole, suppose you found that in the Maritime Provinces there was a very strong sentiment in favour of prohibition, 10 to 1, the Province of Quebec was against it, Ontario divided, a strong feeling in favour of it in Manitoba, and British Columbia 10 to 1 against it, would you hope to be able to enforce a prohibition law in British Columbia ?—No.

35282. But if there was sufficient weight of public opinion in favour of such a law, you believe it could be enforced ?—Any law can be enforced under such conditions.

35283. Do you think there is a different feeling in regard to this law than in regard to any other law ?—Yes ; because to take liquor is not a crime in itself, but it would be made so by law. That would make all the difference.

35284. Take the murders committed : have those who have committed murders been punished by the force of public opinion ?—We have only to go across the line to see that.

35285. Do you not find that when public sentiment is strong, and there is a law that is not enforced, the people make a law for themselves, and are prepared to punish the offenders ?—Yes.

35286. Is that not because there is such a weight of public opinion against their offences ?—Yes.

JOHN B. SIBBALD of Regina, merchant, on being duly sworn, deposed as follows :

*By Judge McDonald :*

35287. Have you held any position in connection with public affairs ?—No.

35288. In what line of mercantile business are you engaged ?—In several. I am Manager of the Western Milling Company.

35289. How long have you lived in the Territories ?—Ten years.

35290. How long have you lived in Regina ?—All the time, except when I was travelling.

35291. Where have you travelled ?—All over ; in Manitoba and the Territories and East.

35292. From where did you come originally ?—Fifty miles from Toronto, in the County of York.

35293. What is your opinion of the prohibitory system in the North-west Territories ?—So far as I know, I do not think it was successful.

35294. Could liquor be obtained for beverage purposes ?—Yes.

35295. From what you have seen, do you think a general prohibitory law could be effectually enforced over the country as a whole ?—No.

35296. In case of the enactment of a general prohibitory law, do you think it would be right that compensation should be made to brewers and distillers for their loss of plant ?—Most decidedly I do.

35297. Take the prohibitory law as it was, and the license law as it is, have you noticed any difference in the condition of affairs in the community ?—I know very little about it so far as that is concerned, but I do not notice any difference. I have seen a great deal more drinking under license than before ; but I very seldom go out at night or go into the hotels.

A. BOWEN PERRY.



35298. In the course of your travels through the Territories, have you found the people making use of liquor for beverage purposes?—Very much so, specially in southern Manitoba and near Macleod and Lethbridge.

35299. What was the character of the liquor?—Very bad.

35300. We have been told that the people used pain-killer and eau de Cologne. Did you know of such articles being used?—I know very little about them. I have seen pain-killer used several times, and I have known one case of a man drinking red ink for the alcohol in it.

*By Rev. Dr. McLeod:*

35301. Did you ever know any one who would willingly drink pain-killer or red ink?—No.

35302. Do you regard that as a drink to which men would resort if they had the liberty to use other stimulants, or only if feeling that they must have something to gratify a desire which they could not resist; and do you not think that it would only be the hardened drinkers who would resort to such liquids?—The man who drank red ink was only 23 years old, but I do not know how long he had drank.

35303. You have said that you are a merchant and manager of the Western Milling Co.?—Yes.

35303a. What lines of business does the company carry on?—They have a mill. They buy grain, and they have a wholesale liquor establishment in Regina.

JUDGE McDONALD.—The proceedings and the sittings of the Commission will be adjourned until Friday morning at 10 o'clock. The reason for the adjournment is to enable the Commissioners to go to Prince Albert without delay, and to take advantage of the train arrangements by which they will be able to return on Friday.

The Commission adjourned.

PRINCE ALBERT, N.W.T., November 3, 1892.

The Royal Commission on the Liquor Traffic met here this day.

*Present :*

JUDGE McDONALD.

REV. DR. McLEOD.

JUDGE McDONALD, in opening the proceedings, said : The Commissioners will at once proceed to take evidence in accordance with the terms of Her Majesty's commission, following the practice adopted in other places of hearing officials first, and afterwards other witnesses.

SAMUEL JAMES DONALDSON, Mayor of Prince Albert, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

35304. What is your business or occupation ?—I am a livery stable keeper.

35305. How long have you resided in Prince Albert ?—I have been here since 1887 on and off.

35306. Do you come here from one of the other provinces ?—I came here from Ontario.

35307. From what part of Ontario ?—I came from Carleton Place, near Ottawa.

35308. That is in the County of Lanark, I believe ?—Yes.

35309. During your residence in the North-west Territories, have you been in Prince Albert all the time ?—No ; I have been at Qu'Appelle, Battleford and Port Pelly.

35310. Have you resided at these places ?—I put in a year at each of the places.

35311. When you first came here in 1879, what system was in force so far as regards the liquor traffic ?—The permit system.

35312. That was the system in force in the Territories until a very recent period ?—Yes.

35313. The permits, we understand, were obtained from the Lieutenant-Governor ?—Yes.

35313a. Taking your experience, has there been during the time you have known the Territories, any change in the social customs of the people with respect to the use of intoxicating liquors ? There was a time when the permit system was very judiciously handled, and there was not a very great wish for alcoholic liquors in the Territories ; but later on, there was, and when they had it, they abused it.

35314. You mean that later on under the permit system more liquor was brought in ?—Yes.

35315. During the time of the permit system, was liquor smuggled in ?—Yes.

35316. In what shape ? Smuggled in in various ways, some of course, brought in under permit.

35317. Do you mean under permits that were unlawfully used ?—Yes.

35318. The permits having become exhausted ?—Not exhausted enough that the parties would not take their chances, and ask the Lieutenant-Governor for permits under some one else's name, and the liquor would come to the express office, and the man would go there and get it. I have known such cases.

SAMUEL JAMES DONALDSON.

35319. In what other ways was it brought in?—Parties smuggling liquor at that time would take teams and go down to Brandon or Portage la Prairie, and bring liquor across the country, and run the chance of getting it in.

35320. Without having the pretence of a permit?—I had been at Qu'Appelle when a man overtook me with five ten gallon kegs of alcohol.

35321. Did you find in those days that the liquor smuggled in was generally spirits, or was it ale?—Generally spirits, of the very strongest kind.

35322. They endeavoured to secure the smallest bulk and the greatest strength, I suppose?—Yes, and they would afterwards make a much larger quantity out of it.

35323. Had you any experience here of liquor being brought in in packages of sugar and flour?—I have heard of that, but have never known of it myself.

35324. Have you had any experience in this country of other articles being used instead of liquor. We have had evidence that in some sections pain-killer and eau de Cologne were used?—Yes; I have seen them used frequently.

35325. Were they diluted or taken as they were received?—It all depended upon the condition of the man who was going to take it, whether he was on a heavy spree or just beginning it.

35326. We have been told that under the permit system when a man got a permit for liquor and the liquor arrived, he would call his friends together, and there would be a period of exceedingly heavy drinking while the liquor held out?—Yes; I have seen that too.

35327. Did the same state of things of which you have spoken exist at Prince Albert, Fort Pelly, and other places where you have been: were the conditions throughout the districts similar?—Yes, about the same.

35328. Then the condition did not depend on locality?—No.

35329. On 1st May last, a license system came into force, we understand?—Yes.

35330. Were you Mayor of the municipality at that time?—Yes.

35331. What has been the working of the license law since it came into force; has it been advantageous or otherwise?—My opinion of the license system at present is, that it is a little ahead of the permit system, that is of the winding up time of the old permit system.

35332. It has been suggested that one reason why there was an increase in the number of permits granted was the fact that such large quantities of liquor were being smuggled from the United States, and it was thought expedient that those liquors should be brought in lawfully under a permit system?—Exactly.

35333. Do you know whether the increase in the number of permits issued diminished the quantity of liquor smuggled?—I believe it diminished smuggling as regards men taking chances of bringing liquor across the country.

35334. I suppose you know nothing of the state of things near the boundary line?—I have no experience there.

35335. How many licenses are there in Prince Albert?—One retail license.

35336. That is an hotel I suppose?—Yes.

35337. How many wholesale licenses have been granted?—Two.

35338. Have you considered the question, whether, in case of the enactment of a prohibitory law, a law prohibiting the manufacture, importation and sale of intoxicating liquors for beverage purposes in the Dominion, remuneration should be made to brewers and distillers for loss of plant and machinery?—I have not given the matter any consideration whatever; however, I imagine they should receive some remuneration.

35339. Have you had any experience of the working of a prohibitory law anywhere else than in the North-west Territories?—No.

35340. Have you had any experience of a high license system?—No.

*By Rev. Dr. McLeod:*

35341. There have been three systems in the Territories: prohibition, with the early exercise of the permit system; then the four per cent beer system, and now the license system. From your observation, which do you think was the best of the three?—I think I would as soon have the license system as any of them, from the way it is working now.

35342. Did you find that prohibition, when permits were issued judiciously, did any good?—Yes, I think it did, when the permits were judiciously issued.

35343. Have you observed whether the license system as it is here has increased or diminished drinking?—I am inclined to believe that the license system is increasing the drinking in the rural districts.

35344. Has it no effect in the town?—I think not, in that way.

35345. How many licenses do you say are issued altogether?—One retail and two wholesale.

35346. Do you know whether there is any illicit sale in the town?—None to my knowledge; I do not believe there is any whatever.

35347. Do you know whether the licensees observe the provisions of the license law, whether they sell after hours, and whether they are closed during legal hours on Sunday?—They close right on the hour, so far as I know.

35348. Do the wholesale establishments sell retail at all?—No. An hotel-keeper is allowed to sell to his guests more or less on Sundays.

35349. Does the law allow him to do so? If he closed on Saturday night, does it allow him to open again before Monday morning?—I am never much round the hotel on Sunday, and therefore I do not know. I was under the impression that guests of the hotel were allowed to buy on Sunday.

35350. Then you do not know whether the licensees sell after hours and on Sundays or not?—No, I could not say.

35351. Did you notice a very great difference between the condition of things when permits were issued judiciously and when they were issued indiscriminately during later years? Did you notice a difference in the quantity of the liquor abroad and the amount of drunkenness?—Of course, the population has increased. There might be more drinking noticed, but I do not think drinking is more extensive than previously.

35352. So it did not make much difference whether few or many permits were granted?—It made a difference no doubt, but there were more people to drink the liquor; that was the difference.

35353. The returns show that there was a great increase in the quantity of liquor permitted to come into the Territories between 1883 and 1890. In 1883, about 6,000 gallons were permitted and in 1890, 153,000 gallons. There could not have been that ratio of increase in population, about twenty-five times as many?—No.

35354. Do you think the indiscriminate issue of permits caused a large increase of drunkenness?—No doubt there must have been some increase.

35355. You think there was smuggling going on. Was there much of that during later years?—I do not think so much smuggling in later years was carried on, for individuals could then bring it in by permit.

35356. The issuing of permits made it unnecessary to smuggle, I suppose?—Yes.

35357. How long have you resided here?—Since 1882.

35358. Have you noticed whether the drink habit and the drink trade affect business injuriously or beneficially?—Injuriously.

35359. Take your own business, that of keeping a livery stable. Sometimes rigs get broken, I suppose?—Yes.

35360. And horses get hurt?—Yes.

35361. Did you notice whether the drink habit had anything to do with those occurrences?—Yes, no doubt it had.

35362. To any considerable degree, or to any large percentage of cases?—Yes, in a very large number.

*By Judge McDonald:*

35363. The man you met with a load of liquor: how far would he have to draw it?—From Brandon here, about 400 miles.



HON. THOMAS HORACE MCGUIRE, of Prince Albert, Judge of the Supreme Court of the North-west Territories, on being duly sworn, deposed as follows:—

*By Judge McDonald:*

35364. How long have you resided in the Territories?—About three years and a-half.

35365. Have you resided all that time in Prince Albert?—Yes.

35366. Before coming here, I believe you lived in Ontario?—Yes, in Kingston.

35367. There was a license system in force there?—Yes.

35368. Was the permit system in vogue when you came here?—Yes.

35369. We understand that the prohibitory law was repealed in May, and that a license law replaced it?—Yes.

35370. Take the community since you came here, have you noticed any change in the social customs of the people, or are they about the same in regard to the use of intoxicating beverages?—While I cannot say I have noticed very much change here, there has been a little, of course. When the license law came into force there was a temptation to try their new privilege at that time, but I do not think it kept up.

35371. Do you find this a law abiding and sober community?—Very much so.

35372. Do you think it compares very favourably with other communities?—I think so.

35373. I understand that this is an old established place?—It dates back fifteen years probably.

35374. The settlement was in existence before that, under the old Hudson Bay Company, I believe? I am not aware that the Hudson Bay Company had any traders here previous to fifteen years ago.

35375. Had you any experience of the working of the permit system?—Yes; almost the same experience, although perhaps not so familiar with the system, as the last witness. I corroborate what he has said about permits being applied for in the names of persons who never obtained them. Of course, I only know this by hearsay, but it is a matter of common report that several persons in town were in the habit of sending to the Lieutenant-Governor for permits in the name of certain individuals. In the early history of the country, when the settlers were few and more easily known by the Lieutenant-Governor or those about him, the permit system was exercised wisely and discretion could be used in issuing permits. As the population increased and more strangers came into the country, persons of whom the Lieutenant-Governor knew nothing, and of whom the persons about him knew nothing, the information obtained would not always be accurate, and frequently, no doubt, permits were given to those who were really dealers in liquor, that is, selling contrary to law, because there was no power to sell under the permit system. Persons, no doubt, got permits in their own names and sold the liquor. I know of two permits being applied for by persons whose principal business it was to sell liquor, and for a long time I did not know how they got it.

35376. Would the liquor be sold openly at the bar, or quietly?—There was no open sale in this town. In one place there was open sale, but it never became what you would call open sale in Prince Albert that I am aware of. There was a good deal sold, however, I believe, before the license system came into force.

35377. Then we understand, that owing to some decision given it was held that, though the individual in whose favour the permit was granted bought the liquor, yet if it were afterwards found to be in the possession of another party, it was covered by permit?—Yes, that was the decision of Judge Rouleau. That decision was given according to the strict wording of the section, which was afterwards amended.

35378. Do you think that under the present system private individuals called together a few friends when the liquor arrived, and there was a bout of excessive drinking? I believe there are some grounds for that report. It has been stated, perhaps as a joke, but with some truth in it, that as liquor by permits came in by sleigh or by express, for it was not safe to send it by freight, that a man's friends were always about at the time of its arrival, and it appeared to be always known who was the

fortunate recipient of the liquor. I do not know how true that is. I think, however, there is some truth in the statement that a man invited his friends, or they invited themselves, and they would drink till the liquor was consumed. The permit usually covered two gallons.

35379. Did the permit distinguish the kind of liquor?—It always distinguished it. There was more brandy brought in than anything else, except by the better class, who wanted wine: it was usually brandy or alcohol, on which, of course, the freight was less; brandy was 50 cents a gallon, and of course it was desirable to get the strongest kind of liquor.

35380. Do you know whether adulteration was complained of in cases where liquor was sold?—I have reason to believe that the liquor sold was adulterated, from the effect it had on persons who drank it; of course, I refer to the after effects.

35381. You mean, I suppose, that it made them stupid and almost paralyzed them?—Yes.

35382. We have heard of cases of that kind in the other provinces?—Yes.

35383. Do you know anything of the state of things on the southern boundary?—No.

35384. Have you considered the question of granting remuneration to brewers and distillers for their loss of plant, in case of the enactment of a general prohibitory law?—That question is of more importance in other parts of the country than in the Territories, for the reason that the law had prohibited a license being given to conduct manufacturing here. Until last May there was no right to establish a brewery or distillery in the Territories. There was what were called hop-breweries; there are one or two here, but they are not of much account.

35385. What kind of beer was produced?—It was not very good: it was called hop beer, and probably contained two or three per cent of alcohol.

35386. So did the four per cent?—No, that was always imported. Hop beer is a very weak product. As an abstract proposition, I think that where the law enacts that a business should be wiped out, providing it is a lawful business at the time, the people engaged in it have some claim to be remunerated, especially in view of a sudden change in the law which has thrown that man's property and himself out of a sphere of usefulness for the time being.

35387. Do you think in such a case that compensation should be made for the plant and machinery that would necessarily be rendered useless?—I do not think that I am able to express an opinion on that subject. I think that a very strong argument might be put forward in behalf of such a change being made; but, there are very strong reasons to be urged against it on the other side.

35388. As a jurist and as one who has had long experience in law, what, in your judgment, is the effect on the conscience of a community of having a law on the statute-book which is flagrantly and persistently violated?—My experience has been more outside of the Territories than here in this regard. Of course, there is nothing here to contradict my impression, stated elsewhere: it is, that where there is a law that is not enforced the people get into the habit of breaking that law, and they have a tendency to break other laws, particularly with regard to truth in the witness box.

35389. Speaking of that point, have you had any experience in regard to the matter of evidence?—Very little, I have had only four or five cases.

35390. It has been stated that in a general prohibitory law, more than any other law, perjury exists in the courts when attempts are made to enforce it. It is said the lack of memory in regard to time, place and circumstances is such that people cannot come to any other conclusion than that intentional perjury is committed by witnesses?—I think my impression here, so far as it has gone and limited to a few cases, and my experience in prosecuting cases in Ontario was of a like character, is that in the prosecution of liquor cases you never can rely on one witness in a hundred telling the truth, if they are witnesses for the prosecution.

35391. Have you had any experience in Ontario in conducting prosecutions in connection with a prohibitory law?—Not with a prohibitory law.

35392. Was the Scott Act in force in Frontenac before you left Kingston?—I think it was in the county, not in the city. It was defeated in the city, although I think it was carried after a while.

HON. THOMAS HORACE MCGUIRE.

35393. Do you know anything of the working of it?—I cannot say much about that, because it was not long in force before it was repealed.

35394. Kingston being so near, of course, people could get liquor?—The comment I would make on that point is, that in the county it did not get a fair chance to operate, because people could buy five gallons of liquor in the city, or men could carry it home in their skins.

35395. Are there any suggestions you could make to the Commission in regard to the amendment of the law at present in force here or elsewhere in regard to this question as a whole?—No. I may say that from what experience I have had, I am in favour of a license law. While I should be very glad to have absolute prohibition, if such a law could be enforced, my impressions are that it would be incapable of enforcement. This keen appetite cannot be controlled. And in my view the present system is a very good one. It has been culled from the experience of prohibitory and other laws, and in fact has been made by the Legislature and by the gentlemen who drafted it as efficient as possible. Incidentally I found some advantage in the system the other day. A person in whom I am interested is in the habit of drinking liquor, and I warned the dealer not to give it to that person or allow him to get drunk on the premises. The dealer assented at once. Had this been an illicit place I could not have had control, but in view of obtaining a license the dealer found it advisable to stop selling liquor to that party. That result could not have been easily obtained under any irregular system. For that reason I think the license system in force at present—and if there is any defect in it, it might be remedied—is a better system for the Territories, and it should be strongly enforced. Another remark I desire to make known is, that in my opinion most of the criminal cases in the Territories, or a very small percentage of the cases that come before me, are traceable exclusively to the use of liquor. Of all the criminal cases I have tried, only two that I recollect were the outcome of excessive use of liquor, and one of those, in which death occurred, was a case of murder, the verdict rendered being manslaughter, and it arose out of the prohibition system, I think. The place where the man got his liquor was a little “shack” out of the town, where the people manufactured it illicitly—a foul mixture it was said to be by those who tasted it—and the man was more or less mad from the use of it. He was not a native of the place but was a cow-boy from the States. They were all more or less under the influence of liquor, and it was home-made whisky they were using. The other case was not under the license system, but occurred just before the present system came into force, and I do not know whether it was illicit liquor that was obtained or not, at all events it was there. Those are the only two cases out of 40 or 50 that have come before me, in which I could trace that the crimes were at all due to the use of intoxicating liquors.

*By Rev. Dr. McLeod:*

35396. Have you noticed that of the cases which have come under your observation some were traceable to the excessive use of intoxicating liquor, and that the liquor trade or the liquor habit has been an element in the disorder that has resulted in those cases?—No.

35397. Speaking of the cases in which liquor was illicit: would it have made any difference if the liquor had been sold legally?—When I spoke of the liquor being illicit, I referred rather to its manufacture. I should think that liquor manufactured in distilleries, where it is properly rectified, would not produce as injurious results as compounds made by a man with a few feet of lead pipe and some barley. That is all the machinery the man had for the manufacture of liquor. Where proper rectifying machinery is used, it is obvious that the liquor produced must be of a less irritating character than can possibly be made without proper apparatus.

35398. And that liquor resulted in the crime to which you have referred?—Yes.

35399. Do you desire us to understand that those crimes were directly traceable to the prohibition of the sale of liquor?—I can hardly say that, but the impression made on my mind was, that if there had not been illicit sale going on, that man would not have lost his life.

35400. Have you observed that where the liquor trade is legalized, drinking prevails and leads to crime?—No.



35401. Do you remember in what years those two cases occurred?—The serious one two years ago at Battleford. A man named Fletcher was charged with shooting a Half-breed. The other was last spring.

35402. So both cases were since the adoption of the four per cent beer system?—Yes, both were since then.

35403. I think you have referred to the four per cent beer. Did the beer always contain four per cent or something more?—There was an impression abroad that some of the liquor which contained, or was supposed to contain only, four per cent of alcohol, was a good deal stronger. I do not know of my own personal knowledge, but that was the impression abroad.

35404. Did it come in legally, or was it smuggled?—That is what I referred to; stronger liquor no doubt came in at that time.

35405. With respect to the permit system, do you think it worked better previous to the four per cent plan than subsequently?—Yes. That is the reason I think the four per cent was reinforced and stronger liquor came in, more like eight than four per cent. I was told that the four per cent beer was such that people did not care to drink it. If stronger liquor was allowed to come in that way, if the suspicion was true, it of course increased the use of liquor.

35406. You have said that permits were issued for domestic use?—That was what was intended.

35407. Permits were not granted for the four per cent beer for domestic use, but for sale, I understand?—Yes, it was for sale; and it had this condition, that a person buying it had to consume it on the premises and could not take any home with him. That is, of course, contrary to the theory of most temperance people, who see a temptation in that kind of drinking. The four per cent law, in fact, required it to be tipped.

35408. Do you think the license system, so far as your experience has gone for the short time it had been enforced, is satisfactory?—Yes, except in the rural districts, as Mr. Donaldson stated. I hear that there has been a great increase in the quantity of liquor sold in the country since the license law has come into force.

35409. Would you think that any advantage?—No; my observation, however, is more in regard to the town.

35410. Do you think that this disadvantage in the rural districts may be compensated by any advantage, real or imaginary, in the town?—Yes, because I think the evil in the country is owing to the law not being enforced. The license law increases facilities for getting liquor in the country districts, and I repeat that, from what I hear, there has been a considerable increase in the consumption. It is a matter of opinion whether that evil is greater than any advantage derived in the town.

35411. From your knowledge of the country, and remembering that it is sparsely settled, do you think the license law can be easily regulated in the rural districts?—No. They find the license system has the same difficulties to contend with as the prohibitory system, although the temptation is greater to evade a prohibitory law than a license law. The man who gets a license has a greater reason to observe its provisions than not to do so, because it is his interest to observe them.

35412. You spoke of a case here in which you were interested, where you warned the licensee. Could you not have proceeded against an illicit dealer as well, and have punished him?—Yes; but it is easier to convict under a license law, for there is more evidence created by a license law. You can lay a charge under different forms. Under a license law, to give liquor to a man who is interdicted, or to allow him to get drunk on the premises is a serious offence. You can not only get the offender punished, but a much higher penalty is imposed than under the old law; and the modes of proof are easier under a license system.

35413. Previous to the license system, do you think there was illicit sale?—Yes.

35414. Were the hotel-keepers illicit sellers, and did they supply liquor?—There have been some convictions. I think all the hotel-keepers will be found to have violated the law at different times.

35415. Only one of the hotel-keepers here, we understand, has a license?—Yes, and I think he endeavours to obey the law. His license costs him \$400, and he is liable not only to forfeit his license, but also his chance of getting a license subsequently.

HON. THOMAS HORACE MCGUIRE.



35416. Do you think, from your observation of the license law here and elsewhere, that it does regulate the trade?—I think it does. It gets a better class of men in the business. I think where there is absolute prohibition the temptation is very great and the law will not only be broken but people will sympathize with those who sell and prevent them being convicted.

35417. Does that not also apply to the trade when legalized; or are there no attempts at illicit sales when licenses are granted. We have been told that liquor was sold at from 25 cents to 50 cents a glass in early days, whatever kind of liquor it might be?—Under the license system the profits are not so great, and the illicit dealer cannot charge more than those who sell under license.

35418. You spoke of the difficulty in securing convictions under your practice as a lawyer. Were those difficulties experienced in cases where prohibition was enforced, or was a license system in force?—I think my remark will apply generally.

35419. Was difficulty experienced generally in regard to licensed places?—Yes.

35420. Was the perjury committed in cases of prosecution for violation of the license law?—No, in both classes. I do not think there was very much difference.

35421. So it was not where there was absolute prohibition or partial prohibition?—No, not in regard to prohibition.

35422. Is it not a fact that the unwillingness of the witnesses to tell all the truth arises because they are generally parties to the offence?—Yes. I have known a whole Township Council summoned and an effort made to secure conviction; and though everybody in the place knew they got liquor at the house in question, yet they all managed to evade the questions and to give some explanation, so as to leave doubt as to who was selling and what was sold.

35423. You mean that all the parties in the Council got drink at the time?—Yes, all on that day. They were all in that house drinking; and everybody knew that some of them got drink.

35424. Was that a case under the license system?—Yes; but it was against a person who had not a license.

35425. Then it was a violation of the law by an illicit seller?—Yes.

35426. And notwithstanding that the whole Town Council was summoned, it could not be proved that there had been a violation of the law?—It was not the Town Council but the Township Council.

35427. Have there been any strong influences, moral or religious, brought to bear on the community since you came here?—I believe the churches are doing all they can, and I know there is a temperance society in the town and that the members have been doing very good service. I have heard of some persons who were habitual drunkards at one time and who within the last few years have become total abstainers. These cases are attributable to the temperance people.

35428. Do you think the legalization of the trade in the community will prove a menace to those people who have been rescued?—I am inclined to think it may be. They will be able to get liquor more easily now. Formerly they would have had to ask for a permit, and the liquor would have to be brought in by railway, and of course they could get it more easily now.

35429. Have you any means of knowing what is the feeling throughout your district in regard to prohibition?—I have no means of knowing, except what one hears in conversation. There was a good deal of dissatisfaction expressed with the permit system when it was in force. I think the majority are in favour of license.

35430. Do you think a plebiscite would show that?—I have not much faith in plebiscites.

35431. We have known of people coming to the Territories because prohibition was in force here and because they would not be able to obtain liquor?—Several persons have told me that they have come here for that reason.

35432. Is it fair in that case to have prohibition relaxed step by step until a license system is substituted?—I do not think it has made very much difference to any man who wanted to get liquor.

35433. Have you thought of the matter in this way, whether the so-called prohibition in the North-west Territories was a prohibition system at all, or simply a

license system, commanded by one person, who exercised it without any discretion?—It was prohibition tempered by the permit system.

35434. Do you think there would have been less dissatisfaction if permits had been issued judiciously?—Yes.

35435. You have stated, I think, that prohibition was impracticable?—Yes, I think so. In a country like this, it led people into manufacturing liquor here. I know we had strong suspicion of this being done in Prince Albert. I know two private stills were discovered by the Inland Revenue officers.

35436. You think such a law impracticable because its provisions are violated?—Yes.

35437. Do you think the license law impracticable for the same reason?—I think it will be violated; but there will not be the same temptation to manufacture in private stills.

35438. Is that because the people are allowed their liquors?—Yes.

35439. As to the principle of prohibition: do you believe that if prohibition was fairly well enforced it would be beneficial?—That is my view. I would be quite willing to forego liquor if it would benefit all the people, because I believe that their health would be better without it, although that is questionable to some extent.

35440. It is from a medical and moral reason, I believe?—Yes, perhaps both.

35441. Of course, the prohibition I mean exempts liquor for medical purposes?—As it should.

35442. It is only prohibition as regards the use of alcoholic liquor for beverage purposes?—I think there cannot be two questions about it, that any one seriously looking at the matter of prohibition, with that proviso regarding the use of liquor for medical and sacramental purposes, would come to the conclusion that it was preferable.

*By Judge McDonald:*

35443. If it could be enforced?—Yes.

*By Rev. Dr. McLeod:*

35444. You fear the possibility of enforcement?—Yes. You cannot enforce the old style Maine law.

35445. Have you had experience in Maine?—Yes. My experience was that I could get all the liquor I wanted in Maine. The subject had been discussed in Kingston, before I went to Old Orchard Beach one summer. A number of friends were discussing it, and it was urged that you could not get liquor unless you were well known. Now we were not known at all, and we went round to three or four different places and got all the liquor we wanted, from brandy down. We were strangers, and it was not because we were well known to the proprietors. But that experience was confined to Old Orchard Beach and Portland.

35446. Do you think your experience at Old Orchard Beach and Portland enables you to express an opinion as to the condition of affairs in the State of Maine?—No. I had, however, that experience with respect to the law. Perhaps there were reasons why Portland should be so, because it is a seaport town.

35447. I suppose you do not think it necessary that all the provisions of the law should be observed or absolutely enforced?—No, because I never know any law that could be absolutely enforced. There is the law against murder; it is not absolutely enforced, for murders take place. That would be no reason why you should repeal the law, because the best you can do is to exercise it so far as the machinery will permit.

35448. If a prohibitory law were possible of enforcement so as to reduce the evils resulting from the drinking habit to a minimum, would it be regarded as a law that was ordinarily successful?—I think so; if the law did not result in excessive smuggling and excessive manufacturing of illicit liquors. Liquor selling is different from other offences. If it be true that liquors illicitly manufactured are more injurious to a man than those which are known as refined liquors, then of course, there is that evil to be considered.

35449. Have you observed whether adulterated liquors are more injurious than what you call pure liquors?—No, I cannot say so. Some few individuals are very inju-

HON. THOMAS HORACE MCGUIRE.

riously affected by liquor, whatever that liquor may be, and it appears to lead to disease afterwards. Adulterated liquors, however, seem to have a different effect on persons from ordinary liquors; it seems to make them sick, and the effects remain for days.

*By Judge McDonald:*

35450. It has been suggested that the increase in the number of permits issued was caused by the fact of so much liquors of bad quality being smuggled into the country. Have you any knowledge of that fact?—No; I do not know what reason caused the Executive to change the permit system.

35451. Acting on ordinary principles, I suppose it was done from some motive for the public weal?—I think so.

35452. You have expressed your opinion of a plebiscite. I suppose you prefer the old fashioned British system of representatives of the people dealing with these questions?—I think so.

35453. Has the opinion of the people of the North-west Territories been crystallized in the law in force at the present time?—That is a very difficult question to answer. I do not think that at the last election this question was made one of the issues in the election of members, although probably it ought to have been. I cannot, however, speak as to that. It was known before the last election that an attempt would be made to have a license law passed, and that might have had some effect in the election of members to the Legislature in some places.

35454. So a Legislature fresh from the people passed such a law?—Yes, whatever inference may be drawn from that fact. I am under the opinion, from what I have heard, that nearly every member of the Legislature was in favour of some form of a liquor license law, with the exception of a couple of members. One other remark, somewhat corroborating what Mr. Donaldson has said. I think under a license system there is greater opportunity for the sale of light wines and beers replacing the strong liquors that were formerly smuggled into the country. If it be an advantage for the people to drink ale and wine instead of brandy or other strong liquors, I think the license system is desirable, because comparatively little ale was imported under the permit system into the country as the freight was so considerable. There was no charge made by the Executive for the permits, but such liquors as ale cost too much for freight. Of course those who wanted to deal in liquors preferred the stronger liquors. Now the liquor brought includes ale and beer, and to that extent there is something to be said in favour of license as against the prohibitory system.

JOHN COTTON, of Prince Albert, Superintendent of the North-west Mounted Police, on being duly sworn, deposed as follows:—

*By Judge McDonald:*

35455. How long have you lived in the Territories?—In Manitoba and the North-west Territories, I have lived nearly 20 years.

35456. Did you come from the Province of Ontario?—Yes; I came from Ontario to Manitoba.

35457. From what section of Ontario did you come?—From Ottawa.

35458. Was there a license law in force there in those days?—Yes.

35459. How long have you been in the Territories?—I have been here 10 years. I was also here in 1879, which was before that time.

35460. When you came here, was the permit system in force?—Yes.

35461. Did you come here as a member of the North-west Mounted Police?—Yes.

35462. Has a part of your duty been to see to the enforcement of the liquor law in any respect, and if so in what way?—Yes, in seeing that parties do not bring liquor in illegally and also to prevent illicit sale.

35463. Sale to Indians?—To Indians and everybody.



35464. At present what are your duties under the new system?—At present under the new system we have to aid the License Commissioners to prevent any infringement of the present law.

35465. Then you have still to enforce the law and to prevent sale to Indians?—Yes, certainly.

35466. And to try cases of offences under the present law as regards Indians, in fact all infractions of the law?—Yes.

35467. In what sections of the North-west Territories have you been stationed from time to time?—At Fort Macleod, Regina and here. In those days the population in that district was very small.

35468. With what difficulties were you called upon most to contend under the old system?—There was a great deal of liquor imported from the United States by way of Fort Macleod.

35469. You refer to smuggling across the line?—Yes.

35470. What was the character of the liquor brought over?—Very bad, as a rule.

35471. Was other liquor brought in from Manitoba?—Yes.

35472. In what kind of packages was it brought in?—In every possible way.

35473. Have you often made seizures?—Yes.

35474. Can you give the Commissioners any kind of an idea as to what sort of packages the liquor was brought in?—Where it was imported from the United States, the people did not pay much attention to the way in which the liquor was packed. If it were smuggled from another part of our own country by the railway, it would be inclosed in some kind of package. The ordinary way in the south was to stow it away in bottles among merchandise. The bottle trade was, of course, the retail trade after the liquor had been got into the country.

35475. Did people carry liquid about on their persons and sell it?—That has no doubt been done, but I only recollect one case of that sort that was tried before me. As a rule they did not carry it about with them, but they generally placed it away where they could lay their hands on it when they wanted it.

35476. Take the liquor brought in from our own country by railway. We have heard of tin cases made to look like Bibles: what were there the methods adopted under the permit system to bring in liquor?—That was one. Another, the plan of shipping it as if it were merchandise. A man connected with the liquor might carry on some subordinate mercantile business, and at the same time endeavour to get liquor in with his goods.

35477. The Commissioners have been given to understand that large quantities of liquor were concealed in packages of sugar and rice?—That has been done.

35478. Within your own knowledge, have packages of that kind been opened—packages of sugar and rice and other things—and liquor found in them?—Yes.

35479. In what way was the liquor generally packed?—It was generally concealed as much as possible.

35480. Was the liquor generally in keg or bottle?—Both ways.

35481. This was put in as freight?—Yes, with consignments of freight. For instance, there was a large consignment of soda water at one time, and we found that the bottles contained alcoholic liquor, and that the majority of the bottles at all events were not soda water at all.

35482. Have you found cases in which freight cars were found to contain liquor in the centre and on the outside were found ordinary merchandise?—I do not know that I have personally made such seizures, but I have tried cases in which that was done.

35483. The Commissioners have been told that cases have been found in which persons having a permit would afterwards make use of the stub to bring in another supply of liquor, or to protect some liquor brought in under the same permit?—Yes, such efforts have been made, but did not succeed. As the permit system, like every thing else, became better known to the people, they acquired a knowledge of it. Before the days of the regular cancellation of the permits, that is to say in the early days of the permit system, the permits were used over and over again; but this became difficult after the regular cancellation came into operation, and the permit was cancelled when

JOHN COTTON.



the liquor was found on the train. If the people could get it into the Territories without the permit being cancelled, they could of course use it again. I do not say that the people had a desire to evade the law; but, on the other hand, a large number of people would try to avoid having their permits cancelled, if they could. It was a system by which the permit was only for a certain length of time.

35484. Do you think that was a point which was generally conceded?—A man might say that he drank very little, and if he used the permit three or four times, no harm would be done.

35485. What other difficulty had you to contend against?—From the police point of view, under the permit system we had every difficulty to combat, especially remembering the class of men any permit system or an attempt to enforce prohibition creates. Of course we had to watch the whisky traders and try to frustrate their plans.

35486. In the cases tried before you, did you find the witnesses troubled with weakness of memory?—I invariably found it.

35487. As to the time and place?—That was the same nearly all the time.

35488. Had you reason to believe that their testimony amounted to perjury in some cases?—I have not the slightest doubt but that it was perjury very often.

35489. Did you find any particular law under which perjury seemed to prevail?—Yes, under the present system. I have not had enough experience under the other system to be able to give an opinion, because the license system has not been sufficiently long in operation.

35490. Were you on the British Columbia frontier at all?—No, I have never been west of Fort Macleod.

35491. Did you find that as the railway opened up the country, more people came in, and that liquor came in more freely, and there was more difficulty in looking after the liquor?—That applied to the Canadian Pacific Railway. It made no difference whatever in the southern part, near the international boundary.

35492. While it may not have made any difference in the quantity imported, did you find that less liquor came in from the United States and more by railway?—It was then brought in from two directions instead of one.

35493. Then the railway had the effect of giving a mode of access which had not previously existed?—Yes, it gave a better chance to the people there to get liquor, if they could avoid detection on the train. In the southern district it was not so, for the people would have to travel 100, 200 or 300 miles with it.

35494. Were seizures frequent?—Yes.

35495. You endeavoured to enforce the law, I suppose, and with all the means at your disposal?—Yes, every effort has been made by the force to carry out the law.

35496. The present law, we understand, came into force on 1st May last?—Yes.

35497. Under it, what difficulties have you experienced?—Such a thing as searching trains is practically done away with. We have had no difficulty, and certainly no complaints have been made to the police of infractions of the law, and of course complaints would be made to them. Up to this time the law has been enforced.

35498. What has been the effect of the law on Indians as regards their getting liquor?—I have never myself seen an Indian under the influence of liquor in this district. I have tried one case latterly of a Half-breed supplying liquor to a squaw since the law came into force. That is the only case now on record in this district. I have been on all the Indian Reserves, and I have never seen an Indian drunk. But there is always a danger in this way: the Indians have people related both by blood and common language, who have, nevertheless, a right to purchase liquor, and such a man can walk up and buy liquor, and of course, unless a policeman is present, it may be brought away and given to Indians. So, of course, the facilities for the Indians to buy liquor have been increased, and there is much difficulty in that direction. I think in the case of the Indians there should be extra precautions taken to prevent them obtaining liquor, because while liquor may make a white man jolly, it has very different effects on the Indian.

35499. You think it is possible for him to get drunk under the license system?—Up to this time we have not had that experience of the law, or at all events up to the last day or so, we have not had any difficulty. The vast majority of the Indians in this

district do not wish to obtain liquor. If it was put under their noses, they might take it, but they do not wish it. Of course it is now more probable that the Indians will get liquor than it was before, because they could not obtain liquor by permit under the permit system, and the whisky dealers certainly did not bring in liquor to give away.

35500. You have spoken of the liquor smuggled across the border being of foul character. What was the quality of liquor brought in in other parts of the country : was it the ordinary liquor brought in from the other provinces ?—Before the Canadian Pacific Railway was built, I do not know as regards the territory north of the railway, but in the southern part of the country, in the Fort Macleod region, the whisky was always considered to be very bad.

35501. Were there illicit stills there ?—It was reported that there was an illicit still in one place. Search was made for it, and part of the still was found. If it had been used at all, it had been used very little.

35502. Did you find that the liquors brought in under permit were generally spirituous liquors ?—Almost invariably so.

35503. Was any ales brought in ?—They would not be brought in, as transportation was very expensive, and in the winter it was impossible to transport such liquors on account of frost.

35504. They are, at all events, brought in more freely now ?—I presume so, because a man can now go and buy ale.

*By Rev. Dr. McLeod :*

35505. Did you notice that you had more difficulty when the four per cent beer came into force ?—No. I do not think we had. There might have been at some points when there was a rush, but I cannot even say that ; I do not think it made much difference.

35506. Then you think there was not much difference in the quantity brought in before or after the introduction of the four per cent beer system ?—No.

35507. I notice in your report of 1889, you say :

“ The construction of the main line of the Canadian Pacific Railway proceeded quietly, and the total absence of all serious crime—notwithstanding the sudden influx of thousands of rough navvies—was remarked with astonishment. This was again and again borne testimony to by prominent men who had had experience in other countries. Even with the efficient police surveillance maintained, such happy results could not, I think, have come about but for the prohibitory laws existing. That these laws were sometimes broken, even in those days, is an undeniable fact. Such, however, was the exception, not the rule.”

Do you think that this condition, even with an efficient police force, could not have existed without a prohibitory law ?—Yes. If all the working parties had had the right to bring in liquor and use it, the story of the construction of the Canadian Pacific Railway would have been exactly similar to the history of the Northern Pacific and the Union Pacific Railways. There would have been rows and murders of all kinds, I have no doubt.

35508. You say in another paragraph of your report :

“ The large number of appeal cases—that is, appeals from magistrates to Supreme Courts—has, I think, brought out many points worthy of consideration, with a view of bringing about some desirable amendments in the Act. Take this point, for instance : one of the learned Judges before whom appeals were heard holds that any one bringing in liquor under the Lieutenant-Governor's permit may transfer such liquor to other residents of the Territories, who are not themselves in possession of permits ; and further, that persons so receiving liquor are not liable to punishment by fine or imprisonment. My last desire is to criticise in the slightest degree the legality of such judgment. I may, however, add that if this is the correct reading of the Act, it will hereafter certainly handicap the police in their efforts to suppress illegal liquor traffic.”

Do you find difficulty in regard to the legality of the judgments ?—Yes. On account of that judgment, it was very difficult to prevent sale, and also to prove it.

35509. Probably this was never done. If there was a permit produced, and if the quantity of liquor there did not exceed what was mentioned on the permit, you did not endeavour to ascertain whether it was brought in illegally or not ?—Exactly so.

35510. Do you agree with Mr. Reid and his assistant, that they had to take extra precautions in order the keep liquor away from the Indians ?—I think extra precautions

JOHN COTTON.

will have to be maintained, and this has been done on the reserves in this district. They are visited more frequently, and of course we have to watch them more carefully, especially at the time of the annual treaty payments. Of course, there is danger at that time, for when the Indian has money he can then get whisky.

LAWRENCE WILLIAM HERCHMER, Commissioner of the North-west Mounted Police, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

35511. How long have you resided in the North-west Territories ?—Over 30 years.

35512. Did you come here from one of the other provinces ?—I came from Kingston, Ontario.

35513. In what year ?—In the latter part of 1872.

35514. From what place did you originally come ?—From within one mile of the present town of Ormstown in the State of New York.

35515. What system was in force there in regard to the use of intoxicating liquor ?—They had a license system in force when I came to Manitoba.

35516. When did you come into the Territories proper ?—I was through the Territories a good deal throughout the years 1873-4-5.

35517. What system was then in force ?—No liquor was allowed. The permit system was introduced before Mr. Laird came into the Territories as Governor.

35518. So no liquor was allowed in the Territories ?—Quite so.

35519. You were not, I suppose, brought into contact officially with a license law before the present law came into force ?—No.

35520. Then there was a permit system ?—Since the Mounted Police have come into the country, I know that no liquor smuggling has been going on.

35521. When you first came into the Territories, what was your official position ?—I was one of the officers of the Boundary Commission.

35522. And what official position did you hold subsequently ?—I was connected with the Indian Department in 1873. I remained there until 1886, when I came to the North-west Mounted Police.

35523. While you were connected with the Indian Department, had you anything to do with keeping liquor away from the Indians ?—Yes, and I was a Magistrate.

35524. Had you difficulty in doing so ?—I kept it down by watching them.

35525. Did you find very many people willing to sell to Indians ?—There were a great many who would sell to them, to the Sioux. I lived at Birtle, and was Government agent there. I was in the habit of visiting Turtle Mountain and Brandon, and in the Territories, Fort Pelly to the north and down to Moose Mountain.

35526. Did you find that you had to exercise diligence in order to prevent the people from breaking the law ?—I was kept travelling the whole time.

35527. When you became connected with the police force, of course your duties were more extensive ?—Yes.

35528. What difficulties did you experience in keeping liquor out ?—I found that a very large proportion of the population would evade the law if they could.

35529. In what shape would they get the liquor in ?—In any shape they could manage it. They would try one dodge, and when we found that out they would invent another scheme.

35530. Can you tell the Commission what some of them were ?—A great deal of liquor came in by means of small kegs inserted in casks of sugar or rice. It was consigned sometimes to the leading people of the North-west Territories, to prominent Methodist ministers or to priests. No doubt thousands and thousands of gallons of liquor came in in that way, because we did not like to examine respectable people's goods. But we did so after a time, and we found, for instance, in the centre of one



barrel of sugar or rice consigned to a divine of high standing in the country, a five gallon keg of alcohol, brandy or some other strong liquor.

35531. You had reason to suppose that this was being done as a fraud on him?—I think so.

35532. It was supposed that a consignment to that gentleman would not be examined! No doubt there were thousands of packages of that sort, and I had to give an order that no package should pass without an examination.

35533. It has been stated that sometimes in cars ordinary merchandise would be on the outside and liquor inside?—Yes. On several occasions the cars were examined and grog was found secreted in that way. For instance, there was a car load of bacon from Hamilton consigned to one of the leading wholesale provision merchants, and we found, after we had examined it, that in addition to bacon at both ends of the car, there was a supply of the worst kind of spirits. Now, this car was shipped to a leading merchant of Edmonton.

35534. Did you find any case in which the packages contained liquor, but should have contained something else?—I remember one case in Calgary. I found a cargo, which was said to be a cargo of four per cent beer, but instead of being four per cent beer it was principally brandy.

35535. What action did you take in that case?—I seized \$1,700 worth of liquor. We found also that very strong liquor came in under the term of four per cent beer or as ginger.

35536. Speaking of ginger, did you find that other liquors were in the bottles instead of ginger beer or other temperance drinks?—Yes.

35537. Have you any knowledge of the consumption of pain-killer and eau de Cologne?—I have seen lots of it. I have seen men take a bottle of essence of lemon and add a little water to it and drink it. I have also seen cocktails made of pain-killer.

35538. At Regina we had evidence of red ink being used?—I have never, in my experience, found a man drinking red ink.

35539. Were there any illicit stills in the country?—Yes.

35540. From what did they manufacture the liquor?—From barley and wheat.

35541. Did they make any from potatoes?—No.

35542. Or from molasses?—Yes, lots of it, but barley and wheat were used mostly.

35543. Had you any experience on the southern border?—Yes.

35544. We have been told that liquor was brought in from the United States?—Yes, in immense quantities.

35545. Do you know anything of the character of the liquor that was brought in?—It was very bad. They would bring it in across the border and "cache" it if they could. They would move the liquor during the night perhaps 20 or 30 miles. If they arrived at the boundary on the first of the month, they would not probably reach Macleod for four or five weeks.

35546. Were the men who did this people who lived in the Territories or in the United States?—I think most of them were residents of the Territories.

35547. Would they take down empty kegs to Fort Macleod, and come back with grog? Yes; and they would avoid the police. We had some Indian scouts down there, who, on several occasions, found liquor and arrested the men bringing it in.

35548. Were the liquors brought into the country generally spirits? It was the very strongest liquor that could be got, for of course it could be diluted here.

35549. It has been stated to the Commission that one reason for the change in the law was the quantity of liquor smuggled in from the United States, and it was thought better to increase the number of permits issued?—I have no means of knowing that.

35550. Have you any means of knowing whether an earnest desire to exercise a wise discretion in granting permits existed on the part of the issuing authorities?—I think the parties who granted permits acted as fairly as they could. I do not think, however, that the Lieutenant-Governor was the proper party to grant permits.

35551. Would you have had an officer in each locality to do so?—The Lieutenant-Governor was not the proper one, because if three or four representatives signed a recommendation for a permit to be granted to some party, the Governor had to comply, for he could not get out of it.

LAWRENCE WILLIAM HERCHMER.



35552. The people whose suggestions were adopted were supposed to represent the public sentiment, I suppose?—Yes, they were supposed to do so.

35553. What experience have you had as regards the working of the new law?—I think the law is a good law, if it is properly carried out. I do not think it is as strongly enforced as it should be.

35554. In what way do you mean?—While some of the hotels obey the law strictly, I think there are others that evade the law. I think some hotels close the doors at the proper time and some of the wholesale places do so; but I also think a great many of them do not. The greatest fault of the license law is this, that while under the permit system the lowest classes of men could not get liquor, because they could not get any one to recommend them for a permit, and therefore it was only by getting it from people who sold it illegally that they were able to get it at all, now they are able to get all they want, and they will be ready to act as informers in order to obtain half the fines. The result is as I have indicated.

35555. In your experience of the law, did you find much perjury committed by those informers?—I think there was a great lack of memory.

35556. Were they troubled with very bad memories?—Persons who were very reliable and trustworthy on other occasions would be weak in their testimony.

35557. Are there any suggestions you can offer to the Commissioners with a view to making the law more workable?—Yes. I think all bartenders and people handling liquor should be licensed, as well as the regular licensees. If a man is caught evading the law, he should not be allowed to be employed in any other bar or drinking place in the country.

35558. Do you think that would be a step in the right direction?—Yes. I also think all the licensed houses, hotels and bars in the country should have no back entrance, but only one entrance, and that the bar should be lighted up during prohibited hours.

35559. You would have bars open to the street?—Yes, and without curtains during prohibited hours.

35560. Those are, no doubt, two very good suggestions.—You would get in this way a better class of bartenders, and it would be worth their while to be careful. At the present time these men can be employed at one bar and then another.

35561. Are there no further suggestions you can offer to the Commission?—No.

*By Rev. Dr. McLeod :*

35562. Do you think the change from the permit system to a license system was made at the desire of the people of the North-west Territories?—I think it was the desire of the people living in the towns.

35563. What about the opinion of the people living in the rural districts?—I think they cared nothing about it—that is the impression I have always had.

35564. In your report of 1888 you said :—

“I consider that the homes of our rural settlers, who, being in the majority, are the class in whose prosperity and welfare a Government should be most interested, and the country parts are generally and remarkably free from liquor and its effects.”

And further on you said :—

“In reality these settlers seldom or never get whisky except when they visit the towns, and even then the instances are rare in which farmers have been under the influence of liquor; and although public meetings have occasionally been called in the towns, when this law and all connected with its enforcement have been deluged with abuse, no meetings have ever been held, to my knowledge, in rural places, nor have any resolutions in favour of extended liquor privileges been passed at any country meetings.”

So there was really no agitation in favour of an extension to a license system?—I am still of exactly the same opinion.

35565. You expressed your opinion as between license, as you observed it in Manitoba in the old days, and a measure of prohibition in the North-west Territories, and said :—

“There can be no comparison between the quantity of liquor then supplied to Indians and the quantities they have obtained since that portion of the Province was, as certain people call it, emancipated.”

—Yes, I still think so.

35566. How would that apply to the North-west Territories?—I think the Indians now get more liquor than they did before: I do not know that they do so here. I am making some inquiry into the matter here, but I have reason to believe that they do not get more here. About Fort Macleod, more liquor is being sold to Indians than before, but this is all being done by the Half-breeds, and I do not know more than one or two white men who have been convicted of selling to Indians.

35567. Taking the three systems that were in operation in the North-west Territories, the permit system as it was first administered, the permit system with the four per cent beer, and the present license system, which do you think is the best one?—There were very few people in the country when the permit system was established; and of course, if you endeavoured to carry that out now, you could not carry it out as effectually. Take it altogether, with the exception of liquor getting to Indians through the Half-breeds, I think the license system is away ahead of anything else.

35568. I think you have said that, from your observation, the license law is not carried out very well?—I think it is being fairly well carried out in some places, but that depends on the Inspectors, and upon having the right men appointed. If the right men get licenses and the law is strictly enforced, I think a license system is best, care of course being taken that drunkards do not get liquor.

35569. If the same conditions had prevailed, and the officials had done their duty, would like results have flowed from the enforcement of the prohibitory law, that you think will flow from the license system?—It is difficult to know how to answer that question. As chief officer of the force I did all I could, and the officers did all they could with the permit system. If the temperance men of the country had really meant work and business, they would have given the police a great deal of assistance. My experience here, however, was that great difficulty was met with in getting evidence, and in this the officers were not assisted by the temperance people. There was a want of moral courage on the part of people with temperance proclivities. The clergymen could have given a great deal more assistance than they furnished; they did not give us much assistance, in fact very little. They wrote in the newspapers in regard to the non-enforcement of the law, but when it came to the point, there was very little evidence to be got from them.

35570. Who had the less moral courage, those people, or those interested in the liquor trade?—Of course, those who were interested in the trade were not supposed to have any moral courage on this point; but the temperance people and all the better class gave us very little support. They did the talking, but when we wanted facts to secure convictions, we very seldom got them.

35571. Under which of the two systems was there less drunkenness?—There was less drunkenness during the early days, when the permit system was in force and when it was difficult to get liquor. In some of the towns there is more drunkenness now than before, and in some of the towns less. I think there is more in Regina. In this place, although only a short time has elapsed since the license system came into force, I think it is the most quiet and orderly place I have ever seen. There is only one licensed retail place; but at the same time I have seen men on the back streets taking out bottles from a saloon, which was authorized to sell, and giving liquor to Indians.

35572. So there is illicit sale?—No, I would not say that; it might have been bought at a wholesale place. I do not think there is any illicit sale there now.

35573. Is it not a fact that the exercise of the permit system destroyed what prohibition there was in the law?—I do not think it did. I think the permit system, so far as it went and for the time it lasted, had a good effect.

35574. I find this from the records: that in 1883, there were permitted 6,736 gallons, and in 1890, 158,690 gallons, a great increase. Remember that the population had enormously increased, and that a very large quantity of that liquor was four per cent beer.

35575. Take two years that did not include four per cent beer. In 1887, the quantity was 3,165 gallons, in 1889, the quantity was 21,636?—There was a very large increase in the population.

35576. Did the population increase seven times?—I am not in a position to state; but 1882 and 1883 were two of the very best years for the Territories. The whole population increased very largely during those years.

LAWRENCE WILLIAM HERCHMER.

35577. Did you notice whether after the introduction of the four per cent beer system in 1889, there was a diminution in the quantity of spirits consumed?—I think it was about the same. There must have been a little falling off, and the population kept increasing all the time.

35578. The spirits taken into the country increased at this ratio: in 1887, the quantity was 21,000 gallons: in 1888, 56,000 gallons, and in 1890, 417,000: there was thus a steady increase all along the line, and at the same time there was a steady increase of beer?—The population increased, I think, faster than the consumption of spirits.

35579. Did the population double between 1887 and 1890?—If you take in 1891, I think so.

35580. The only point I desire to ascertain is this: the introduction of four per cent beer was supposed to reduce the quantity of spirits consumed; but instead of there having been a reduction, there appears to have been a steady increase, an increase at a greater ratio than before?—I do not think the four per cent beer can be taken as a guide, because anybody would as soon drink ginger ale.

35581. Was it four per cent beer? Some of it was, I suppose: and some came in under four per cent permits.

35582. You spoke of a consignment to a Methodist minister. Would he receive that, or would some other person?—I think that minister is a strong temperance man, and would not receive it; but it was thought no doubt an easy way of getting it into the Territories.

35582a. So he was not a party to the transaction in any way?—No.

35583. They simply used his name?—Yes.

35584. Would the minister know that the goods were there to his order?—Probably he never knew anything about it. It was consigned to him, but some man on the road would have the liquor dropped off at some place.

35585. As a matter of fact, did you ever find a minister a party to such transactions, or were ministers opposed to the whole system of permits?—I found, of course, that the ministers all over were very much opposed to liquor in any form, the whole of them.

35586. Speaking about pain-killer: did you ever know of people taking to drink on pain-killer?—I said I never knew of red ink being used, but I did know of men taking pain-killer cocktails. They had evidently been accustomed to taking cocktails in the East, and as they could not get them here in the regular way, and as they must have cocktails, they mixed up those compounds, and they were able to make good pick-ups for the morning.

35587. Do you think it well to establish a trade which creates appetites that must be gratified by cocktails made of pain-killer?—I think the people who would do it in the East are pretty far gone.

35588. Speaking of the license law: do you believe that the license law will be carried out in this country?—Certainly.

35589. How should it be carried out?—I would appoint first-class Commissioners and Inspectors, who should be outside all politics or any influence of that sort, and any licensee caught evading the law should lose his license, and he should be convicted after receiving one warning.

35590. Do you think if the officials had been of a similar character, it would have been possible to carry out the prohibitory law?—I think the feeling of the people all over is against prohibition.

35591. How do you arrive at that conclusion?—By the way they acted during the permit system; I judge from what they did.

35592. You have said that you did not think any resolution was adopted, or any steps taken to ask for enlarged liquor facilities. Do you know whether meetings were held or any steps taken in a formal way to protest against extended facilities being given?—Outside of the towns, there was very little done. The farmers were not interested one way or the other.

35593. Was a plebiscite wanted?—I am not aware of it. There was a great deal of talk about it.



35594. Was there not a petition signed by 3,000 or 4,000 persons in a short time asking a plebiscite?—I think it was signed round the town; I did not hear of the petition being carried into the country places.

35595. Do you think it would have been fair to have taken a plebiscite in the country?—I do not know. I do not think it would do any harm.

35596. If the plebiscite were taken, do you think there might be a majority against the present license system?—Lots of people would sign a temperance paper; any man could go around to the hotels, and even drunkards would sign it.

35597. Would it mean anything?—Not much.

35598. If they signed against prohibition, would it mean very much?—You could get more to sign for prohibition than against it.

35599. If they signed for prohibition, would it mean as much as in the other case?—I am giving my own opinion from what I have seen. I think lots of people in favour of liquor would sign; a great many of the people who sold illicitly in the old days under the permit system would lend a helping hand, because they would be able to make more money than they are making now. Then they were able to get half a dollar where they only get ten cents now.

35600. Then you think the licensing of the trade had the result of making liquor cheaper?—Yes, it made liquor a great deal cheaper than it was before. Under the permit system, when a man got a five gallon permit for whisky, his friends would always know when it had come, and they would visit him and would stay with the five gallons until the liquor had been consumed. Now if a man wants a glass of whisky, he can go and get it; formerly a man did not know when he could get another glass, and so he would hang round and endeavour to get three or four, one after the other.

35601. Do you think the permit system was largely a fraud?—I think it was a fraud in some ways. Undoubtedly a large quantity of liquor came in without permit, and of course a large number of men could not get liquor then who can obtain it now.

35602. Will the fact that the opportunities for obtaining liquors are greatly increased, owing to the trade being legalized, tend to increase the drinking?—I think it will increase the drinking among the lower classes, among the Half-breeds; but among the respectable portion of the community, I do not think it will increase drinking.

35603. Do you think it will not affect them at all?—Yes.

*By Judge McDonald :*

35604. You think the effect of the change in system will be to have more ale consumed?—I think there is more ale consumed now. In old days it was hard to get it in, partly on account of the freight and partly on account of the difficulties connected with the cold weather; and the result was that one day a man could get ale and the next could not. If a man could not get it every day in the week, and if there was a brewery in the country, the consumption would be still greater.

FRANCIS NORMAN of Prince Albert, Inspector of the North-west Mounted Police, on being duly sworn, deposed as follows:—

*By Judge McDonald :*

35605. Did you come from one of the other provinces to Prince Albert?—I came from Toronto to the North-west.

35606. What country man are you?—I am an Irishman, from Dublin.

35607. How long have you lived in the Territories?—Nearly 19 years.

35608. At what places have you resided?—I think I have been every where in the North-west Territories, from the North Saskatchewan to the international boundary line.

35609. When you came here first, what system was in force in regard to intoxicating liquors?—There was a permit system. The duty of issuing permits to bring liquor

LAWRENCE WILLIAM HERCHMER.



into the country, in 1887, rested altogether with the Commissioner. The present Judge McLeod had authority in certain cases to grant permits, in case of sickness.

35610. You have heard the evidence of Col. Herchmer and Superintendent Cotton?—Yes.

35611. Do you agree with them as to the state of things in the country under the permit system?—In the old days I was stationed almost altogether in the Macleod country, and that was the route by which all kinds of pernicious liquor entered the Territories. It was generally brought from Fort Benton on the upper Mississippi.

35612. You have spoken of the pernicious character of the liquor. Did it profess to be pure liquor?—It was known by the description of Bourbon liquor.

35613. Did you ever seize any of it?—Yes, I made lots of seizures.

35614. In what kind of packages did it come into the country?—In every conceivable shape, in tins, in glass bottles and in bottles sealed up, which contained three large peaches, and these would be put up in the strongest alcohol; and in fact, the bottle would contain about a pint and a half of alcohol.

35615. Did it come in consigned as liquor?—No, as fruit.

35616. Had you reason to believe that the alcohol was brought in for beverage purposes?—Yes; they were very expensive peaches, for the bottles were \$5.00 each. Each bottle would contain eight or nine drinks.

35617. What other modes of concealment were used?—The forty rod whisky, as it was called in those days, was concealed in all kinds of packages; but the principal part came in by cargo, which was the better way of doing things. The distance was 340 miles from Macleod to Benton, and Macleod was the place of sale.

35618. Was any brought in concealed in the middle of other packages?—In one case a quantity was brought in, concealed in barrels of nails. There was a five gallon keg in the centre of some barrels, and it came in as a cargo of nails.

35619. Then some of the barrels would contain all nails and some liquor?—Yes. In examining a large number of barrels, it was pretty hard to detect which had liquor and which had not, and the people in this way brought it across the line and concealed it for a time. You had to watch the coulees and river beds and banks and every other place.

35620. Did all these contrivances tend to keep the police on the alert?—Yes. There were a large number of Indians there, and they were making preparations for the Black-foot Treaty, and 8,000 or 9,000 Indians were gathered together and we had great difficulty in keeping liquor away from them.

35621. How long was the boundary on which you had to discharge your duties?—We had from Red River to the summit of Chief Mountain, a distance of 940 miles.

35622. Was that all along the international boundary line?—Yes.

35623. Was smuggling taking place at different points? Chiefly in the western part.

35624. How long have you been at Prince Albert?—Three and a half years.

35625. What was your experience here? Was any liquor brought in here under the permit system?—Yes, there was a good deal.

35626. Did you make seizures?—Yes. It was brought in in different ways, sometimes consigned in commercial travellers' cases as samples. We would sometimes find that those cases would contain eight or ten gallons of whisky.

35627. When the cases were opened was the liquor discovered, or was it packed underneath?—The boxes were beautifully fixed. When the cases were opened out the kegs would not show; they were indeed very nicely fixed up.

35628. What kinds of liquor would be found in them?—Alcohol, brandy, gin and whisky. They came in as commercial travellers' effects. In Regina they would be thrown to the ground, but if there was any danger, they would not be claimed.

35629. I suppose they were claimed by you?—We would leave them for a few days, and see if any one would endeavour to take them away, but they would generally not be claimed.

35630. Have you had any experience of the use of pain-killer and eau de Cologne as a beverage?—Yes.

35631. What have you seen in that way?—They do not go in very much for that kind of thing now. In the old days we saw a good deal of it at Fort Pelly. There was not very much liquor coming in, for there was great difficulty in getting it there. Everything had to come by dog train, but the people got some liquor all the same. The Half-breeds made a very good kind of punch, composed of pain-killer, Jamaica ginger, strong black tea, and sugar and molasses. They would put this altogether and get very drunk on it. I have, however, not seen it used since the license system came into force. It was rather an expensive drink.

35632. Of course, it would be very expensive to have liquor brought into the country by dog train?—Yes, and it could, of course, be brought in only in small quantities.

35633. As the railway came through the country, did you find liquor coming in more freely?—Yes, although on the Canadian Pacific Railway, from its construction from Manitoba to the mountains, it was not easy to obtain permits to bring in liquor. We kept liquor altogether from the working hands, except in two or three cases. Some fellows did get liquor, and the results were not more than common assaults.

35634. Had you any trouble in regard to illicit stills?—I have never seized any myself, but some stills were used and seized.

35635. From what substances did they make liquor?—From barley.

35636. You say you have been here three years?—Yes.

35637. How have you found the license law work since it came into operation?—The only thing I can say about it is, that there have been fewer convictions since it came into force than there were under the permit system.

35638. Have you seen more drunkenness since?—There have been very few cases. I do not come very much into the town, however. I have heard of a few cases among the Half-breeds, but there have been very few convictions, and those not for infractions of the license law at all.

*By Rev. Dr. McLeod :*

35639. Speaking about convictions, to what convictions do you refer?—I refer to convictions we formerly had under the permit system.

35640. Were those convictions on charges of bringing in liquor illegally?—Yes.

35641. You could not have such cases now, when it is possible to carry on the trade?—Yes, they hold licenses. If any party brought in liquor in any quantity, however small, and did not hold a license, I consider that it would be bringing it in illegally.

35642. We understand there are two wholesale and one retail license issued here. Do you suppose the proprietors bring in as much liquor legally as was brought in before illicitly?—I do not think so. I think the best detectives in the country are those who hold licenses.

35643. You think they are detectives?—Yes, for their own benefit.

35644. If they knew that a party was smuggling in liquor here, would they tell the authorities?—Yes.

35645. You think there is no smuggling, however, going on here?—I do not think there is now.

35646. Is there any illicit alcohol brought in by wholesale men?—I saw the case that Col. Herchmer mentioned. We have had an instance of that here. There are two wholesale merchants here, as perhaps you are aware, one the Hudson Bay Company's agent and the other a thoroughly respected firm. Of course, it would not be to their interest to carry on an illicit trade.

35647. I mean men who would sell to parties, who would then peddle it out illicitly?—Yes.

35648. Are you the only man on the watch for illicit sale?—No, we have a continual patrol.

35649. The same as before?—We are even more vigilant than before.

35650. But you have had no cases of seizure?—No. We visit all the reserves and all the outlying settlers in our district about twice a week.

35651. Then you are constantly travelling?—Yes, particularly on the reserves.

35652. So, under license, you think there is less liquor coming into the country?—I do not say there is less liquor coming in, for there is more.

FRANCIS NORMAN.

35653. You have not noticed whether there has been more drunkenness?—I think there is less drunkenness, because under the old system I have known 400 or 500 gallons to come in under permits. So long as the liquor lasted the place was the scene of a jamboree.

35654. What is your opinion of the permit system, from your observation of it?—I never thought much of the permit system. I think it was a bad system, for the simple reason that any man in the country could get five or ten gallons and take it right into his family. His children and family would see him in a continual state of intoxication. Under the present system the man does not get a permit, but he knows where he can go and get a glass of whisky without having it brought right before the eyes of his family.

35655. Then you prefer a license system to a permit system?—Yes, it keeps liquor out of the houses. I think the license system, if carried out to the full extent, is best.

35656. Is it well carried out in this district?—I do not think there are many complaints.

35657. Are there any violations of the license law?—I do not know of any.

35658. Then none have occurred?—No.

35659. Col. Herchmer said the law was violated?—I do not think he referred to this district, considering the very mixed nature of the classes here, for the population is more mixed here than in any other district of the North-west Territories. The system is working very well now.

35660. I suppose that under the license system you do not pay attention to the incoming liquor, regarding it as having the right to come in?—Certainly, and we do not search trains.

35661. Of course, it is a legitimate trade now. Do you believe in the prohibition of the liquor traffic?—I do not know how it would work. I have seen the working of the Scott Act and do not believe in that.

35662. Why?—I have seen it in operation in several places, among others in St. Thomas, Ontario, and in Yorkville, outside of Toronto.

35663. Did you live in those places?—Yes.

35664. Then you did not find the Scott Act work very well?—No.

35665. When was that?—The last time I was in Toronto was in 1883, nine years ago.

35666. You observed the Scott Act in Yorkville?—Yes.

35667. Do you know how long it had been in operation there?—Quite a while.

35668. Six or eight years?—No; I have been here as long as that.

35669. When the Scott Act was in force there?—Yes.

35670. Were you there a long time during the operation of the Scott Act?—No, three or four weeks.

35671. You think your observation of the law was sufficient to enable you to form an opinion?—Yes; I saw its effects over and over again.

35672. Did you see open sale there?—Yes; I went into one place with a friend and had liquor over the bar.

35673. That was under the Scott Act?—Yes. I was a stranger there too. I asked for strong drink, and the proprietor said he could not give me any, but if I asked for a little ginger beer, he would get it for me.

35674. He gave you ginger beer?—No, he did not. He said he would give me ginger beer, if I asked for it; but instead of doing so, he disappeared down a trap door and got some strong drink for me.

35675. Is that the business that is usually carried on at a licensed bar?—They generally have a cellar under the bar.

35676. Is that like a licensed bar?—No.

35677. Do you think there is anything in the fact that liquor has to be brought up through a trap door?—They had to use every means of concealment.

35678. Did the Scott Act cause them to use such means?—Yes.

*By Judge McDonald:*

35679. You were in St. Thomas, I believe?—Yes.

35680. Was liquor sold freely?—Yes, you could get all the liquor you wanted.

*By Rev. Dr. McLeod :*

35681. When was it?—In 1886.

35682. Were you there long?—I was there over one month.

35683. And your observation was, what?—That it was a fraud.

35684. Was that your observation as you studied it, or was it an observation told you by some people living there?—It was my own individual experience.

35685. That is to say that people when they wanted whisky or some such drink, had to ask for it under the name of a temperance drink and they would get what they wanted?—Yes; so that if he was discovered, he would say, "What did you ask me for?" and the reply would be, "I asked you for ginger beer."

35686. Were you ever brought forward in a case of that kind?—No.

35687. You say you were a party to this. If you had been summoned as a witness, would you have said that you asked for ginger beer?—If I had been placed under oath, I would have had to say so.

35688. And that you did not ask for drink?—I said, "Give me whisky." He said, "If you ask for ginger beer, I will think over it."

35689. And you would in so answering and in giving evidence be telling the whole truth and nothing but the truth?—Yes.

35690. You consider you would be answering the question after that manner?—The answer would be correct.

*By Judge McDonald :*

35691. What experience have you had in respect to Indians?—I have had a great deal of experience.

35692. Since the new system has come into force do you consider it has made any difference?—We have had only a single case, one at Duck Lake, where a Half-breed gave some liquor to an Indian woman.

35693. We understand that Half-breeds are allowed the same privilege as the white men in regard to purchasing liquor?—Yes. I desire to state that there was no collusion between the hotel-keeper and myself at Yorkville, in regard to the purchase of liquor.

SEVERE GAGNON, of Regina, Superintendent of the North-west Mounted Police, on being duly sworn, deposed as follows:—

*By Judge McDonald :*

35694. How long have you resided in the Territories?—I have been here since 1874, close on 19 years.

35695. Did you come here in connection with the force?—Yes.

35696. What system was in operation in the North-west Territories when the force came here?—The permit system was established.

35697. Who was Governor then?—The Hon. Mr. Laird.

35698. And the permit system was continued up to 1st May last?—Yes.

35699. Have you lived in different parts of the Territories?—Yes. I was stationed at Edmonton for 10 years, and my next place was Regina. I have visited most of the posts for a few months at a time.

35700. You have heard the evidence given by other officers of the force, I suppose?—I did not hear all of it.

35701. Did you find difficulty in enforcing the law prohibiting liquor being brought into the country?—During the first years I was in the country, there was not much liquor brought in where I was, because transportation was very difficult, for everything had to be brought from Winnipeg in carts.

FRANCIS NORMAN.



35702. What distance would it be?—About 950 miles. Of course the freight made everything very expensive. There was a great danger of whisky being turned into water before it reached its destination.

35703. You mean by the men carrying it?—Yes, by the people on the road, who would tap the barrels and afterwards put water in its place and make up the quantity. For that reason very few permits were asked for at that time.

35704. Were the carts and horses driven by regular freighters?—Yes, chiefly by Half-breed freighters.

35705. Then such liquor as would arrive would be very expensive?—Yes.

35706. In those days, did you ever see other compounds used in place of liquor? We have had evidence given regarding the use of a great many compounds and drugs?—I have seen pain-killer, eau de Cologne, Florida water and everything of that kind in which there was alcohol used, and they were drank in the country.

35707-8. What would happen when liquor came into a community?—If a man got in liquor under permit, his friends would gather at his house and the keg would be on the table, and they would keep on drinking until the liquor was all consumed. Of course after this there was an interval, and then the pain-killer and essences would be used. In some cases people would make pain-killer cocktails, but the use of essences as a rule came after a liquor spree.

35709. Did liquor come in under cover?—Yes.

35710. Had you any experience on the outer border?—I was stationed for a very short time at Fort Macleod.

35711. Did you seize any liquor brought in?—Yes, and it was very foul stuff.

35712. What has been your experience in regard to liquor being brought in concealed in other packages?—I have seen a good deal of liquor concealed in all sorts of ways and a great deal had been destroyed, and I have seen a little brought into Regina by express. The officers in charge of the station were sometimes a little suspicious and would open goods and so forth. They found a keg of whisky in a barrel of salt. They took the whisky away and repacked the barrel, and the owner came and claimed it. He had to pay a fine of \$500 for express and other charges.

*By Rev. Dr. McLeod:*

35713. What was done with the whisky?—It was destroyed.

35714. Have large quantities been destroyed?—Yes, last year we destroyed 935 gallons of whisky which was being brought to a merchant at Edmonton. This merchant, to my own knowledge, had an agent at Calgary, and he bought provisions and at the same time shipped up liquor.

35715. So there was a loss of the liquor besides the freight paid?—Yes.

35716. Do you think the officers in the discharge of their duties were very watchful and zealous in trying to enforce the prohibitory law?—Yes, most of them were; but they were very little helped by the people of the country, who would protect the whisky traders and smugglers.

35717. Did you have representations made by the people who wanted the law enforced?—Yes, but when we wanted evidence or information we could not get them to give it to us.

35718. So you were hindered in that way?—Yes, and by the feeling among the people that it was wrong to endeavour to enforce such a law.

35719. Did you find that the liquor smuggled was the strongest alcohol?—Yes. I have, however, had little experience with the liquor brought in from the United States. Almost all the liquor with which I had to do was brought into the country from Winnipeg or from British Columbia, and it was good liquor.

35720. Since the license law has come into force, have you found that ale has been brought in more freely?—There is more ale used in the country. It is easier to bring it in now, as it comes by the car load, and is of course not as expensive.

35721. Why is it in the best interests of the people of the country to encourage the use of light wines and ales instead of spirituous liquors? I think if the wines and ales were made cheaper, they would be used more, and there would be less drunkenness.

35722. Have you had any experience of the working of the license law since you came here?—No. I live out of Regina, and I seldom go into the town.

PETER ROBERTSON, of Prince Albert, Chief Constable and License Inspector, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

35723. Were you appointed Chief of Police by the Municipal Council?—By the town.

35724. By whom were you appointed License Inspector?—By the town.

35725. How long have you lived in Prince Albert?—About nine years.

35726. Did you come from one of the other provinces?—I came from Ontario, from Middlesex County.

35727. Have you resided at Prince Albert ever since you came to the Territories?—Yes.

35728. You have seen, of course, the working of the permit system here?—Yes.

35729. When you came here, was that system in force?—Yes.

35730. Did you find the people a sober and law-abiding community?—Not any more than they are at the present time.

35731. Are they so at the present time?—Yes. They are a law-abiding people ; there are, of course, a few drunks.

35732. I mean as a community?—Yes, as a community.

35733. You think you have seen no change?—Very little.

35734. What are your duties as License Inspector?—To see that people selling are licensed and that they are carrying out the license law.

35735. You mean your duties are to watch people who are selling without licenses, and to see that those having licenses comply with the requirements of the law?—Yes.

35736. How do you find the law observed?—I have not had any difficulty since I have been Inspector in seeing that it is enforced.

35737. Have you many cases of drunkenness?—Occasionally we have several cases, but the parties are generally Half-breeds.

35738. Is this room, in which we are now sitting, your lock-up?—Yes.

35739. Judging from its appearance, there is not much use for it?—Not very much ; occasionally we have a prisoner. Some weeks we have several cases, but during some months we have no cases at all.

35740. From your experience of the law, which do you think is preferable, the old permit system or the license system?—I prefer the license system.

35741. Do you think it is quite practicable to work a license law properly?—Yes.

35742. Have you found any difficulty?—No.

35743. Are there any suggestions you could make to the Commission with a view to improve the law?—No, I have no suggestions to offer. I think, however, the bar-rooms should be limited to one door and that the front door.

35744. Have you any other suggestions to offer?—No.

*By Rev. Dr. McLeod :*

35745. Why should drinking places have only one door?—Because at times there are parties in after hours ; they are liable to go out by a side door, which they could not do if there was only the front door.

35746. If the licensee was determined to observe the law, it could not make any difference I suppose whether the place was all doors?—Sometimes they are not. A traveller may desire to get some liquor ; in fact he can demand a drink of liquor.

35747. At any hour?—Yes.

35748. Is that the law?—Yes.

SÉVÈRE GAGNON.

35749. Then side doors would not make any difference if he can demand liquor?—It would not make any difference in regard to that case.

35750. If a man was determined to observe the law, would it make any difference whether there was one door or ten doors?—It would not really make any difference in that case.

35751. But is it a fact that you find every man holding a license determined to sell whenever he can, and if he has a side door he will get the people out of the way quietly and free from observation?—There is a little in that. Probably you want to go in with a friend and you do not wish some one else to see you going in. If there is a side door, you can just step in.

35752. Speaking about the right of a traveller to demand liquor: if a tourist gets in here at 10 o'clock on Saturday night, which is after hours, can he go to a hotel and demand a drink, and would the licensee have to sell it?—I think you can force a licensee to give you a drink.

35753. At any hour?—I think so.

35754. How long have you been Chief of Police?—Since 1890.

35755. Were your duties more or less before the license law came into force?—My duties were about the same as they are now. I can say that there is not much difference. There are no more drunks now than then.

35756. Were you employed all the time?—No, I was not. I was employed in the evening up to 1892.

35757. How are you employed now?—The town prefers to have me employed all the time, because I can act as fire guard. That is one of the principal reasons, and probably they think there may be more drinking going on under the license system than there was under the permit system.

35758. Did they put on more men?—My hours are from two in the day up to two at night; I am not on all the time.

35759. Before that time, were you the only constable?—I was on duty from seven until eleven in the evening.

35760. You have three times as long hours now?—Yes.

35761. Has your salary been increased?—Yes.

35762. You say you are also License Inspector. What do you do as License Inspector to see that the law is observed; do you visit the licensed places?—I visit the places twice a month.

35763. Does the man know when you are coming?—No.

35764. You have, of course, the right to visit at any time any place licensed?—Yes.

35765. Do you drop in at 10 or 12 o'clock?—At any time I see fit.

35766. Have you ever found the licensee selling after hours?—No.

35767. Have you ever heard any complaints?—No complaint has been made to me.

35768. So far as you can judge, that is not done?—It has never been brought to my notice.

35769. Have you reason to believe there is any selling at illegal hours?—So far as I am aware, there is not.

35770. Or on Sundays?—No.

35771. Did you ever see any drunkenness on Sunday?—Yes, but it was from the effect of liquor got on Saturday night.

35772. You say that you prefer the license law. Why do you think a license system preferable?—One reason is, that under the old permit system it was customary for people getting a permit to have their friends join them, and they would drink until they drank all the liquor. You would see more drinking then in a week than you will see in a month at the present time, because the friends all flocked there as they thought it might be the last liquor they would get for some time.

35773. They drank as long as the liquor held out?—Yes. Now a man can go and get a drink when he is disposed to have one.

35774. But you would have a lot of men drinking for one week under the permit system, and you have them drinking all the time under the saloon system?—When the men could not get liquor of course they could not get drunk.

35775. But now they can get it every day?—Yes. Men who were in the habit of getting drink under the permit system, get liquor legally now.

35776. Is it better that they can get it legally?—Yes.

35777. Is there more or less drinking now than there was before?—I cannot say.

35778. Is it just about the same?—I see very little difference. The arrests up to March 1st, were not more numerous than they were under the permit system.

*By Judge McDonald:*

35779. You have spoken of the increased hours and the increase of salary. Of course your duties have increased?—Yes.

35780. You are also Fire Inspector as well as License Inspector?—Yes.

35781. The duties of all those offices are included in the duties discharged by you?—Yes. There has been an increase of salary, but there has also been an increase of work.

35782. You have not found any increase of labour caused by reason of there being more drunkenness?—I cannot say that I have found any more trouble under the present system than I did under the old system.

JOHN L. REED, of Prince Albert, Dominion Land Surveyor, on being duly sworn, deposed as follows:—

*By Judge McDonald:*

35783. Are you Chairman of the Board of License Commissioners here?—Yes, for district number 10.

35784. Does that include Prince Albert?—Yes.

35785. How long have you resided in the North-west Territories?—Nearly 21 years.

35786. Has Prince Albert been your place of residence?—Not all the time. I came here in 1877.

35787. Where were you before that?—In Winnipeg.

35788. Did you come from one of the other provinces?—From Ontario.

35789. What County?—The County of Durham.

35790. Was the license law in force when you left there?—It was at that time. I left my family there, and went backwards and forwards for two or three years, during which time the Scott Act came into force there.

35791. Did you see anything of the working of it?—Yes.

35792. It came into force in 1886, I believe?—About that time.

35793. What can you say about the working of it?—It was a failure as a total abstinence law.

35794. Prohibition was not enforced?—Quite so.

35795. In the North-west Territories you have seen the working of a prohibitory law, and since May 1st, of a license system: which is preferable?—A license system by all odds.

35796. Were you present when the officers of the Mounted Police gave their evidence?—Yes.

35797. Do you endorse their statements as to liquor being smuggled into the country?—I know it was smuggled in.

35798. Of what character was the liquor? The liquor generally smuggled in was the very worst description of spirits.

35799. That is what we have been told?—I am only speaking from hearsay as to that.

35800. We have been told that the liquor brought in during those times was of the very strongest description so as to occupy the smallest bulk?—Yes, the stronger the spirits, the better.

PETER ROBERTSON.



35801. Have you ever been along the southern border ?—No. I have never seen anything in regard to the liquor business down there.

35802. Do you know anything in regard to the use of eau de Cologne and pain-killer ?—I have seen them used here.

35803. From your experience of the prohibitory law, do you think it is practicable to enforce a general prohibitory law ?—No.

35804. Speaking of a prohibitory law, I am speaking of what is called commonly national prohibition, a law for the total prohibition for the whole of Canada of the manufacture, importation and sale of intoxicating liquors for beverage purposes ?—I do not think it is at all practicable.

35805. In case such a law were passed, would you deem it right that brewers and distillers should receive compensation for their buildings and plant which would be rendered useless ?—Most decidedly.

35806. You have had experience of the license law since it came in, both as an official and as a citizen. Do you think it has worked satisfactorily ?—Yes, so far as I can judge at present. Of course it has only been in force a short time.

35807. Taking the fact that it has come in as a new system, and that it has given the people a freedom they did not possess before, did you observe that there was more drinking during the first few months than there has been latterly, and that the people have settled down and become accustomed to the new law ?—Everybody expected that there would be more liquor used ; of course it is only an opinion I give in regard to everybody.

35808. Are there any suggestions you can make to the Commission as to amendments to the law so as to make it more workable ? I do not know of any. Some suggestions were made to the Commission by the License Commissioners at Regina, but at present, I do not know of any.

*By Rev. Dr. McLeod :*

35809. By whom are the License Commissioners appointed ?—By the Executive in Regina.

35810. What are their duties ?—They are to be found in the Ordinance for granting licenses.

35811. Upon what conditions ?—I think the Ordinance lays down that for a certain population a certain number of licenses may be granted.

35812. Is there no provision that the community can remain without a license, or must there be licenses granted whether the community want them or not ? I think there is some provision by which they can protest against licenses being granted.

35813. We understand that you have issued only one license for the town ?—Yes.

35814. You are Commissioner for a wider area than the town ?—Yes. There is one retail license issued at Duck Lake and one wholesale license issued at Batoche.

35815. Does your district include Saskatoon ?—Yes.

35816. Is there much drunkenness throughout the district ?—I think there is very little.

35817. Do you think that absence of drunkenness will be likely to continue if the license system is continued ?—I think so. We will be able to enforce and carry out the law, because there is a better understanding about it.

35818. What steps will be taken to enforce the license law ?—The Inspectors have been instructed to enforce it, and I think, in fact I know, the Mounted Police have taken steps to enforce it.

35819. Is there more than one Inspector ?—There are two for the district.

35820. Are they supposed to visit places that are licensed ?—Yes ; but as the Ordinance at present stands, only once a year.

35821. Do you think they will be able to exercise any kind of supervision when they only visit once a year ?—Not much.

35822. So the observance of the law will be at the pleasure of the people holding licenses ?—That will be the case, but the Mounted Police have a right to act, or in a town like this a constable acts.

35823. Do you think a general prohibitory law is practicable ?—I do not think it is.

35824. In the Territories or anywhere else?—Not anywhere.

35825. Why?—Because it is impracticable to carry out such a law.

35826. What makes it impossible to carry out such a law?—Human nature.

35827. You think that human nature is such that it would be impossible to carry out such a law?—You might as well tell a man or a number of men not to serve the Almighty in a particular way.

35828. You think it is a matter of principle?—Yes.

35829. You think worship and the drink trade are to be put in the same category?—I do exactly; you are interfering with the liberty of the subject in one way as much as in the other.

35830. Do you think there is an interference with any number of people by the establishment of the drink trade?—No, I do not think so. I do not, however, want to enter into any argument.

35831. You have said that the prohibition of the drink trade would be an interference with individual rights, with the rights of the people. There are certain people who say that the drink trade, as established, interferes with their rights and with their lives, in that it is a constant danger to them and to the community. Is that true?—I do not think it is.

35832. You think they are mistaken?—Yes.

35833. And, therefore, their views should not be considered?—They have the privilege of appealing from that decision.

35834. But they contend that the trade is a constant menace to the young?—I do not think it is.

35835. And they would like to have it put away, delegalized. Do you think their views ought not to be considered?—I did not say that.

35836. Are you opposed to prohibition on account of its alleged impracticability?—I am not opposed to it on principle.

35837. Are you opposed to the prohibition in the license law, for there is some prohibition in it?—How do you mean? I do not understand.

35838. There are certain provisions in the license law which prohibit a man selling after prohibited hours?—Yes.

35839. Why do you approve of that prohibition and object to prohibition of a larger kind, on principle?—Because that would be likely to disturb the peace.

35840. That is, that the larger prohibition would lead to disturbances of the peace, but the smaller would not?—That is an argument, or it is leading into an argument, and I do not care to answer that question. I am perfectly willing to answer questions that lead up to information, but that is an argument and will lead to a controversy.

35841. Will you kindly tell the Commissioners the information on which you base your belief that prohibition is impracticable?—Because I do not think you can possibly enforce it.

35842. That is not information. Upon what facts do you base that opinion?—Because we saw the results under the old permit system. It was tried to be carried out, and it was found impossible to carry it out.

35843. That suggests the question: Was it prohibition or permission?—It was both.

35844. Which was it?—It was permission.

35845. You judge prohibition by a system of permission?—I look on the question in this way: people must have a certain quantity of stimulants. The information given by the Judge, about Maine, shows that it is so.

35846. The Judge thought he was not able to base an opinion on his information?—Still he said he was able to get drink there.

35847. But he would not say that the Maine law was a failure, because he was able to get drink in Portland?—He did not say that.

*By Judge McDonald:*

35848. Speaking of the question of total prohibition and the prohibition that is contained in the license law, that is, prohibiting sale during certain hours and on Sun-

JOHN L. REED.

day, and so on, do you not find that the bulk of public sentiment is in favour of the latter prohibition?—Yes, I think so.

35849. Having the sentiment of the whole community in favour of these provisions, there is no difficulty in carrying them out?—Not at all.

35850. In regard to the question of interference with the people who are injured by the drink habit, and on that ground preventing their obtaining drink, take a case of this kind: We have had it in evidence, in one place where there were 200 men employed in a manufacturing establishment, that 199 were sober, some of them being total abstainers and some moderate drinkers, but there was one drunkard. The question is, whether the right measure to adopt is to deprive the 199 men who use liquor in moderation, or do not use it at all, from obtaining it, or to take that one man and put him away from liquor. What answer would you give to such a question as that?—The man should be put away most decidedly, for I do not see why others should be called upon to sacrifice themselves.

35851. In these Territories you have not many drunkards of course, but in other parts of the country they are to be found. These men are constantly appearing before the police courts, and are sent to jail for short terms, and on being released follow the same course again. Would you consider it better that they should be confined in some institution for a time with a view to their reformation, or at all events for the purpose of keeping them away from temptation, or would you continue the present system?—I do not see why 199 should sacrifice themselves for one man. Undoubtedly he should be shut up for a time. I should like to say this with regard to total abstainers, that I know they have done a lot of good, but they should not try to force their views on other people, especially when it is forcing them down our throats. We do not try to force our views down their throats.

35852. Do you find the influence of the churches and temperance societies has been beneficial?—It is doing a great deal of good, no doubt. I know that from my experience in Toronto. I know that 20 or 30 years ago, in that Province, nothing important could be done without there being some drinking connected with it.

*By Rev. Dr. McLeod:*

35853. Do you think the proportion is one drunkard out of a hundred drinkers?—I do not; I do not suppose there is one.

35854. Not one man out of a hundred of those who take liquor drinks to excess?—Certainly not.

35855. Has your observation been quite wide?—No, I have not given that point much consideration.

*By Judge McDonald:*

35856. Do you believe, taking the people who use ales and wines and spirituous liquors, some one and some the other, that there is a proportion of 1 in 200 or 500?—I do not think so.

*By Rev. Dr. McLeod:*

35857. Is there 1 in 1,000?—Perhaps there might be.

35858. Do you think there is 1 in 2,000?—Yes.

35859. Do you think that public opinion is in favour of licensing the drink trade?—So far as I know, public opinion in the North-west Territories is in favour of license.

35860. How do you arrive at that conclusion?—The last election most decidedly settled that question.

35861. Was the election run on the ground of license versus prohibition?—It was one of the questions up. People considered it a decided improvement on the old system, which was spoken against everywhere.

35862. We had it in evidence from two of the witnesses that it was not an issue at all at the last election?—It was one of the chief issues.

35863. Then it was not the chief issue?—It was one of the issues. They tried to keep it back as much as they could.

35864. Have you had any experience of a license law elsewhere than here and over a longer period than the few months it has been in force here?—Yes.

35865. Did you have any experience of the license law east before you came here—Yes.

35866. Did you notice how it was observed?—I noticed that there was a great deal more drinking in Port Hope under the Scott Act than there was under license.

35867. Than when the people were prohibited from using it?—Drunkenness was more noticeable.

REV. W. M. ROCHESTER, of Prince Albert, on being duly sworn, deposed as follows:—

*By Judge McDonald:*

35868. Of what Church are you a minister?—Of the Presbyterian Church.

35869. How long have you resided in the North-west Territories?—Scarcely two years.

35870. How long have you been in Prince Albert?—All that time.

35871. Did you come here from one of the other provinces?—From Ontario, Ottawa City.

35872. Was the license law in force there?—Yes.

35873. Have you had any experience of the working of a prohibitory law in any other country except the North-west Territories?—I have had very little experience.

35874. Where?—When I came from Ottawa I came from the County of Carleton.

35875. The Scott Act was in force there for three years?—Yes.

35876. Did you see anything of its operation?—I understood that so far as the suburbs were concerned it was an absolute failure, on account of the proximity to the city.

35877. I presume the people would go into the city and obtain what liquor they wanted?—I presume so.

35878. When you came here the permit system was in force?—Yes. I had experience in a slight degree in another county, in Stormont; not much, however.

35879. Where?—In the County of Cornwall, near Woodlands. I had an opportunity of comparing the condition of affairs there under the license system with that prevailing during my brief sojourn there under the Scott Act. I obtained the opinion of the jailor of Cornwall as to the beneficial results of the Act whilst it was being enforced, as it was at the time of which I am speaking.

35880. Were you at Cornwall at the time the Act was again voted on and when it was repealed?—No.

35881. You noticed no doubt by the public journals that the Act was repealed in Stormont?—I do not remember it.

35882. The permit system was in force when you came here first, and since May 1st a license law has been in force?—Yes.

35883. How did you find the permit system work?—My experience has, of course, been very limited, but I noticed that there was considerable drunkenness among the men.

35884. Do you know where the liquor was obtained?—I had my own suspicions about it.

35885. Have you found matters improve since the license law has been in force?—I think, so far as my observation goes, there has been more drunkenness.

35886. Have you called the attention of the Chief of Police to that?—No.

35887. He said that he had found no more drunkenness than previously?—Yes, he said so.

35888. Do you approve of the license law?—No.

JOHN L. REED.



35889. Are you opposed to it?—I am.

35890. And I suppose you are in favour of prohibition?—Yes.

35891. Do you think it wrong to license the traffic?—I think it wrong to license the traffic.

35892. Of course, you consider prohibition advisable. Have you had sufficient experience to know whether it would be practicable to enforce a general prohibitory law, prohibiting the manufacture, importation and sale of intoxicating liquors for beverage purposes?—We have had no experience of national prohibition.

35893. Judging from the difficulty you had here in carrying out the law, what is your opinion?—I could not base my calculations on that.

35894. Have you arrived at any conclusion? Do you think it would be enforced?—Yes.

35895. In all parts of Canada?—Yes.

35896. Have you studied the question?—Somewhat.

35897. Let us consider the question in regard to the Maritime Provinces. Have you ever been there?—No.

35898. There is a long sea coast and Prince Edward Island is entirely surrounded by the ocean; then there is the Gulf of St. Lawrence extending into Quebec. Do you think you would be able to stop smuggling there and prevent liquor being brought into the country?—It is not necessary to answer that question, because I have not considered it.

35899. We will now come nearer home. You have heard to-day the evidence of the Mounted Police officers as to what they attempted to do on the border line of the North-west Territories between that country and the United States, and the results. Can you make any suggestions to the Commissioners, or propose any plan that would be more effective in preventing smuggling?—No.

35900. Did you hear the evidence of the officers as to the fact of the people using pain-killer and eau de Cologne if they could not get anything else?—Yes.

35901. Was there not vigilance exercised?—The Police have been largely successful in keeping out liquor.

35902. You think that incessant vigilance would keep liquor out?—Yes.

35903. Did you hear the evidence to-day about liquor being brought in in Bibles made of tin and also brought in in packages of sugar and rice?—Yes.

35904. Do you think it would be possible to keep out liquor if the population increased and the consumption of those articles increased: would it be possible to inspect them all?—Yes, I think so.

35905. Do you think it feasible?—Yes.

35906. Do you think in the event of the passage of a prohibitory law, brewers and distillers should receive compensation for their loss of buildings and plant?—No, I see no reason why they should be compensated.

35907. We had the evidence of a clergyman in Brandon, who thought that in the event of such a law being enacted, remuneration should also be made to those engaged in the retail trade for the balance of the licensed period. What do you think of that proposition?—It is a matter to which I have given no consideration; but looking at it generally, I see no reason why they should not be granted compensation.

35908. Have you considered the question of the treatment of the persistent drunkard?—Yes.

35909. Do you think it would be better to retain the present system, or have him removed to some institution with a view to his reformation?—I think they should be placed in an asylum for inebriates.

35910. Can you suggest any better plan?—I would suggest taking immediate action with respect to the man himself and then taking what steps the law might put in my power to protect him, and I would still use all my influence in favour of prohibition.

35911. What steps would you take in regard to the man himself?—Moral suasion.

35912. I refer to legal steps?—I would take advantage of every prohibitory clause in the license law.

35913. You would hope to succeed in that?—If there are protective clauses in the license law I should say they were not put there for nothing.

35914. Taking your recollection of the influence of the churches and temperance societies and the education of the people, have you found them to be good?—Yes, most decidedly.

*By Rev. Dr. McLeod :*

35915. What influence will the license system have on the young men of the community?—Greater opportunities for indulging in liquors.

35916. Do you regard law as an educator?—It has that effect.

35917. What will be the educational effect of the license law on the young men?—They will take it for granted that what is legalized by law is all right.

35918. On the other hand, do you think the prohibition of the traffic, even though that prohibition be evaded, is an educator on the minds of the young people?—Yes.

35919. Even if there were frequent violations of a prohibitory law, you think that the effect of the drink being delegalized would have its effect on the rising generation?—Yes, I am sure of it.

35920. Speaking of the Scott Act, was your experience such as to enable you to form an opinion as to whether it had a good effect or not?—I think so.

35921. I understand you to say that although the license law has only been in force here for a few months, so far as you could judge there was more drinking than previously?—Yes.

35922. Are there any influences at work in this community that prevent the condition of things being worse, and if so, what are they?—The influence of our churches, the work of our temperance societies and organizations and the general educational influences in operation in this community. All these influences have been decidedly felt in the community.

35923. Do you think the existence of licensed taverns and wholesale establishments in the town contribute to the effectiveness of the moral and religious influences which are in operation here?—No, they militate against them.

35924. So you think that under the old system with no licenses, even though the law was violated, the influences, moral and religious, would be more effective than they can be now?—Yes, I think so.

35925. Speaking about moral and religious influences, it would seem a little strange that they did not express themselves in any form of protest against the change to a license law in the Territories?—I am not in a position to say much about that, because I had not been here a long time and did not take any interest in what was going on in the political world. Some slight action was taken by the temperance people of which I am aware, and so far as I am able to understand the nature of the political campaign this question was kept out of the issue. I think it is the general impression of the temperance people in this community that prohibition versus license was not an issue at the last election, and, therefore, the license law is chargeable with the crystallization of the sentiment in this community.

35926. You did not understand that the contestants went before the people and the people gave their representatives a mandate to enact the law?—No.

35927. You have said that there has been more drunkenness observable under the license law. Have there been more arrests for drunkenness and disorders that grow out of drinking since the license law came into force?—I am under the impression, in fact I feel pretty sure that there have been more arrests under the license system. In connection with that, I should like to consult the official records of arrests in order to ascertain definitely the facts.

35928. Would the Town Clerk have those records?—The Town Clerk or the Chief of Police.

35929. How long have these cells been in this room in which we are sitting?—Since we vacated this place as a church.

35930. How long ago?—It is pretty near one year since we vacated this building, at any rate six months ago.

35931. Were those cells put in immediately?—I think shortly after we left.

35932. Were they put in before the license law came into force?—After the license law, as far as my memory goes.

REV. W. M. ROCHESTER.

35933. Were they made immediately after it went into effect?—I think so.

35934. Where was the lock-up previous to that?—I could scarcely tell you.

35935. Of course there were arrests made, and there would have to be a lock-up I suppose?—There was a lock-up at the Court-house and the guard-room at the barracks.

35936. But you think there have been more arrests for drunkenness and for disorders connected with drunkenness since the license law came in than before?—That is my impression.

*By Judge McDonald :*

35937. To what do you attribute the recent action of the Legislature in passing a license law? Is it not a fact that this Legislature, fresh from the people, passed such a law?—Unless the individual legislators were personally interested. I do not know that I have ever given it very much serious thought.

35938. Can you account for this enactment in view of what you have said as to the temperance sentiment prevailing, and which I understood you to say prevails throughout the whole constituency. Do you mean that the people elected representatives who went to the Legislature and misrepresented the feelings of the people in the constituencies and passed a license law?—The representatives certainly misrepresented the people with respect to temperance.

35939. You think they misrepresent the sentiment of the people generally?—I cannot speak generally, but only from my own observation as an individual.

35940. Did you hear the statements made here to-day by men of large experience in regard to enforcing the permit law, and who dwelt upon the lack of sentiment in the country backing up the enforcement of the law?—Yes.

35941. Who has the better opportunities to form an opinion of the sentiment of the people—the Commissioner and the staff, who are going about the country continuously engaged in discovering offenders and discharging their duties, or you, with all respect for you as a minister, going about and labouring in this particular section?—I do not flatter myself that I represent the temperance sentiment with which I might be familiar, but I think there are men who are likely to take more correct views than the officers of the police.

35942. The question I asked you was, who would have the better opportunity of judging and ascertaining the general sentiment of the people of the North-west Territories—those officers at all the stations or yourself, with your two years' residence in this particular part of the country?—You did not ask myself personally.

35943. I ask you this question. We have had the officers of the Mounted Police before this Commission, speaking what they believed to be the sentiment of the community on this question, and they have pointed out the difficulties under which they have laboured in endeavouring to enforce the law, and they have spoken of the strong sentiment prevailing in the Territories in favour of the men who were engaged in this traffic. What I ask is, whether those officers would be better able to judge the sentiment of the people of the North-west Territories than you, who have been here for two years?—So far as my observation goes, the officers of the law based their opinions and conclusions on—what?

35944. I ask you this question: who has had the better opportunity of judging, the officers or you? I do not ask you on what they base that opinion, but I ask you, who has the better opportunity of forming a fair estimate of the public sentiment throughout the country—the officers of the force, who for 16 or 17 years have been going about the country endeavouring to enforce the law, or you, with your residence here of two years as a minister of the gospel?—So far as representative experience goes, I should say the officers of the law.

35945. You say you do not think the men who favour prohibition should be called upon to suggest how it is to be carried out. Do you make that answer advisedly?—I said I did not feel it my duty to suggest methods.

35946. Why do you not consider it your duty to suggest methods? If you and others are desirous of changing the present system, should you not be willing to suggest methods to show how the new system that you propose to carry out will work? In the

presentation of any plan proposed to be substituted for another, the people must have some idea as to how it should be carried out?—Yes.

35947. You would not propose to put this before the country as an abstract proposition, I suppose?—I am not very conversant with these matters. So far as the license system is concerned, our representatives did not put it before their constituencies, they went before the Legislature with it, in the dark.

35948. There was no vote taken directly on prohibition, I believe?—The license system was not presented or submitted to the people.

35949. Is it not a fact that people who are in favour of license claim that public sentiment is in favour of the enforcement of such a law?—As legislators they did that.

35950. You have spoken of the Scott Act having been brought into contempt on account of non-enforcement, and for that reason it was repealed in Carleton?—I did not specify any County.

35951. Not in regard to Carleton, where it was repealed?—I cannot answer.

35952. In what County did you mean it was repealed?—The statement I made, so far as I can remember, was this: that at the time when certain counties occupied my attention, my conclusion was that the Act was brought into contempt by non-enforcement.

35953. Name one County?—I cannot name any of them; I am simply giving a summary of my conclusions. It is possible to arrive at a conclusion without remembering the data from which that conclusion was derived.

WILLIAM VALLEAU MACLISE, of Prince Albert, advocate, on being duly sworn, deposed as follows:—

*By Judge McDonald:*

35954. How long have you resided in Prince Albert?—Eleven years.

35955. How long have you been in the North-west Territories?—The same time.

35956. From what County did you come?—I came from the County of Northumberland, Ontario.

35957. I suppose a license law was in force there?—Yes. Until I came to the North-west Territories, I never tasted liquor in any shape.

35958. Have you had experience of a prohibitory law anywhere else?—No.

35959. So your experience has been here?—Yes, what experience I have had. I have watched very carefully the drinking customs of the people, and from my observation I think there is less drinking per capita than at any time since I came to the Territories. I refer to drinking to excess.

35960. Have you watched the operation of the license law?—Yes.

35961. Since it has come into force do you think there has been increased drunkenness?—No. When I first came here, all the drinking done, speaking generally, was done to excess: men would get in 4, 5 or 7 gallon kegs of liquor and drink it all at a sitting. If a person like myself refused to take it, it seemed to have almost the same effect as slapping a man on the face would have. That was followed by illicit places being established here. I have seen as many as five or six, and I know at one time there were seven here. That number also represented the illicit stills that were running here at the time. I do not know the amount of trade done, but taking one man who may be said to be a fair representative of the rest, he told me while I was defending him once for an infringement of the law that he has made as high as \$100 a day from sales. I was engaged both in prosecuting and defending those parties.

35962. What has been your experience in regard to evidence given before the courts?—There is a most injurious law in this country, that if the evidence of the prosecutor or the informer should convict, he obtains one-half of the fine, which would be \$100 or \$200, and therefore he has an interest in the case to that extent. I do not

REV. W. M. ROCHESTER.



think I found more than one man who made a practice of running such charges whose evidence I could believe, and several such men have come before me in my time. I have proved cases by them and disproved cases by them, according as I was engaged to defend or prosecute. There was an attempt made to have the law changed, but the temperance people in the country opposed it strongly.

35963. From what you have seen, do you think a prohibitory law could be successfully enforced, a law prohibiting the manufacture, importation and sale of intoxicating liquors for beverage purposes?—No, I do not think so. When I came here first very few permits were given, and the people did not do much drinking. A great many people came here (of course I do not know what their habits were before), who did not drink. Afterwards people began to use liquor more freely and substitutes were used at the time, home brewed ale they called it. It was something almost as strong as whisky, I understand, and made in the country, and other substitutes for liquor such as were named to-day. There were used bay-rum, hair restoratives and such things. I remember some people drinking from a bottle labelled "hair restorative," and the formula given was tincture of cantharides and lead. I forget what it is called. These extracts would sometimes be drank as a drink itself, but ordinarily they were taken after a spree.

35964. They were sought I presume after all the liquor had been used up?—Yes. The effect of using these compounds during the last six or seven years has been such that several men have died, their deaths being due directly to the use of those liquors.

35965. Have you known anything of the kind of compounds used since the license law has come into force?—Since the license law has come into force a great change has taken place. A number of men, who were in the habit of taking liquor, have stopped drinking; in fact, a large number of men have for some inexplicable reason stopped drinking entirely. My own impression is that they drank to excess before for the reason that men are apt to take what is forbidden them. A great many were determined to consume liquor because it was forbidden. I do not agree in the opinion expressed to-day that the cessation from drinking has been due to moral and religious influences on the community. I believe it is because liquor is now sold openly in a legal way. There is only one place here where liquor is sold, and I do not go there to drink. In fact, I do not take a drink more than once in three or six months, but I have gone to that place on business once a while, and I have found very little liquor sold. I have seen 3 or 4 places running in this town with twice as much sale going on under prohibition as there is now under license and open sale.

35966. In case of the enactment of a general prohibitory law, would you deem it right that brewers and distillers should receive remuneration for their plant and machinery rendered useless?—That would depend altogether on the conditions on which they entered into the business. If they were given to understand that a prohibitory law might be passed and those rights taken away from them, then I do not think they should be remunerated; but if not, then I think they should receive some compensation.

35967. It has been stated that laws have been passed to compel them to put in certain machinery for the manufacture of liquor, those orders being issued by a department of the Government?—I am not familiar with those facts.

35968. Moreover, the distillers are required to keep their liquor for a certain length of time for purposes of rectification?—I am not sufficiently familiar with the subject to speak on that point.

35969. So it would, in your opinion, depend on circumstances surrounding the trade as to whether distillers and brewers were entitled to remuneration or not?—Yes.

35970. Do you know anything of the use of light wines and ales?—I know the use of four per cent beer had a very bad effect in this country. For example: The liquor was sold here and called cider. It was the vilest trash that was ever invented or compounded, and the man who bought it had been only a year or so in the country. After drinking some of the stuff, he was arrested for attempted murder. He was charged afterwards with a lighter offence and was fined. He lived in the country for a year or two afterwards, and his behaviour, both before and after the case to which I have referred, was fair, and he was a very respectable citizen. I attribute that incident entirely to

the liquor he drank. Had he merely drank beer or light wine he would have been drinking all the time, but he was cured by that experience.

35971. Can you suggest to the Commission any amendments that would make the law more workable?—The only suggestion I can offer is that greater care should be taken in issuing licenses in country places. I do not refer to any particular district or place, but the places established for sale of liquor under the eyes of the Indians should be well looked after, more so than at present.

35972. Do you mean as to the character of the man to whom the license is issued?—Yes. The trade cannot be surrounded by too many restrictions, and it would be safer to issue no licenses at all in some districts.

*By Rev. Dr. McLeod:*

35973. You think the restrictions are right?—Yes, certainly, and I believe certain restrictions of the law here are right.

35974. Are the restrictions sufficient; are they all your judgment would suggest, or would you add to them?—I would rather refer you to those who are more familiar with such matters, the Mounted Police. I have heard some of their evidence given here to-day, and I certainly endorse what they have said.

35975. You have said that there is less drinking per capita since the coming into operation of the license law than there was before in the North-west Territories?—Since I have been here.

35976. How long is that?—Eleven and a half years.

35977. Have you observed pretty closely how the license law has been carried out since it came into operation in May?—Yes, here, but I have not been much in the country.

35978. You mean here in the town?—Yes. But I have been in some country places where they are selling, and from all I saw I do not think any abuses have taken place, with the exception of the case of which I spoke, and in regard to which very careful restrictions should be exercised.

35979. You refer to sales in the vicinity of Indians or the native inhabitants of the country?—Yes.

35980. You consider liquors are particularly injurious to them?—Yes.

35981. Do you agree with the statement made by Mr. Read, the Indian Commissioner, and other officials, that extra precautions have had to be taken, and require to be continued, because of the licensing of the sale of drink in the neighbourhood of Indians and others?—Yes.

35982. Do you think the drink trade is not as dangerous to white men as to Indians?—Quite so.

35983. Under the permit system was liquor kept away effectually from the Indians?—I fancy it was.

35984. But it was not kept away as well from the whites?—No, I could not say it was kept away entirely. My knowledge of the drinking is merely from hearsay, but I think it is magnified here as much as down east, if not a great deal more.

35985. It would seem, then, that prohibition was a benefit to the Indians in that it kept liquor away from them, but that the licensing of the traffic is a benefit to the whites, because under license they would not drink as much as under prohibition?—I would not put it that way.

35986. Is that a summary of what you have stated. Have there been as many convictions since the License Act came into force as before?—I do not think there has been any difference.

35987. Speaking about prohibition, so-called, was it prohibition or permission, taking the Territories as a whole? You could not prevent a man drinking if he wanted to; it was permission to drink by permit, and it was either a feast or a famine.

35988. So the whites in regard to drinking are like the Indians in regard to their rations?—Yes.

35989. You spoke of illicit places and manufacture?—Yes, I was told that there was seven places at one time; that was in the winter of 1886-87.

WILLIAM VALLEAU MACLISE.

35990. Did you know of that, or did you only hear of it?—I saw two of them.

35991. You believe there were seven here?—Yes.

35992. Was it bad to have them here?—Yes.

35993. Did you inform the authorities?—No.

35994. What classes of people got their liquor from those places; were they people who drank pain-killer and such preparations?—Yes; some people would drink anything.

35995. I understand you have known drinking people come into the Territories in order to get away from liquor?—Yes.

35996. You do not attribute the change that has taken place—for the better you think—due at all to the religions and temperance influences at work in the country?—Not at all; they may have had some effect. I think that since men can now drink legally all the liquor they want, they do not care so much to obtain it, and that has occasioned the change.

35997. So it would not be well for the temperance societies and churches to continue their work and their reforms?—Temperance societies are doing a great deal of good, but it is a fact that they are only assisting in a small way. I cannot concede to them the marvellous change in the drinking habits that has taken place here this summer; I do not believe it is due to them.

35998. Do you attribute that to the license system?—I attribute it in a way to the legalization of the traffic—it is almost phenomenal.

35999. You think it is incredible?—Yes. I know that two or three have given up drinking, and they do not belong to temperance societies or to any church.

36000. You spoke of some man dying here from the bad effect of the liquor brought in under permit or smuggled in?—From the excessive use of deleterious liquor.

36001. Did you ever know of people dying from effects of liquor obtained from people who were licensed?—Yes.

36002. So the death was not attributable to license or non license, but to the liquor?—It was only attributable in that case to the bad effect of the liquor; the extraordinary number of cases here was due to that cause.

JOHN W. BETTS, M.A.L., of Prince Albert, merchant, on being duly sworn deposed as follows:—

*By Judge McDonald:*

36003. I understand you are one of the representatives for this district in the Legislature of the North-west Territories?—Yes.

36004. How long have you resided in the Territories?—15 years.

36004a. Have you resided all that time in Prince Albert?—Yes.

36005. Did you come originally from Ontario?—Yes.

36006. From what County?—From the County of Leeds.

36007. When you lived there, was there a license law in force?—Yes. There were a few of the counties of the province under the Scott Act. I remember at Lennox or Napanee or Picton they had the Dunkin Act in force before I left.

36008. Then your only experience of prohibition is what you have seen in the Territories?—Yes.

36009. During your residence here I suppose the permit system was in force up to May last?—Yes.

36010. Since then the license law has been in operation?—Yes.

36011. Are you able to express an opinion as to the working of the present system?—Of course I was strongly opposed to the permit system. I believe the results were not at all satisfactory, and no person could be directly charged with the fault. I am satisfied in my own mind that the license law is a benefit from my experience of it in other places.

36012. Of course it would not be proper that any body such as this Commission should inquire into the personal motives of any member of the Legislature, but will you tell us this: how did the vote stand in the Assembly in regard to the passing of the license law?—I am not just able to say. I think, speaking from memory, that, with the exception of three or four, every member of the Assembly was in favour of a license law. The only difference was as to the line the law should take. There were some who believed in a prohibitory law and some were in favour of free traffic. The stand I took was for high license and a very strict license law.

36013. Has the Legislature passed a law which contains very thorough provisions for its enforcement?—For the first law enacted it was not bad. During the last session of the Assembly several amendments were passed, which gave greater powers to the district Commissioners and Inspectors to enforce the law. Of course it was an oversight that these provisions were not inserted in the Bill before.

36014. From your experience of the license law, do you consider it preferable to the old system?—Yes, very much so.

36015. Is that your observation as a citizen?—Yes.

36016. Will not the present system destroy the temperance feeling?—I do not think so; I think it is steadily growing throughout the country. The licensing of the traffic together with the moral influences that will be brought to bear, and especially improved education, will undoubtedly be the means of considerably reducing the consumption of liquor.

36017. It is your experience that some people when an article is prohibited are very apt to use it?—Yes, I think that is very often the case. I never had a desire for a glass of alcoholic liquor until I came to this country. I never drank to excess in my life and I never had any desire, but when I came here and found I could not get it, then I would go round the corner as quickly as any fellow and take a horn.

36018. As a citizen of this country you hope that this law will be enforced and will be a success?—I believe it will prove a success until such time as this Commission can report favourably in favour of a Dominion prohibitory law.

36019. Do you not find that the prohibitory clauses of this license law, the clauses that prohibit sale on Sunday and during certain hours in the other days of the week, commend themselves to the sentiment of the community?—I think so.

36020. Do you think there is such a weight of sentiment in favour of total prohibition as there is in favour of those prohibitory clauses of the license law?—I find the strong sentiment of the people in the country is in favour of a stringent license law.

36021. Taking your experience and the consideration you have given to those matters, can you hope for the successful enforcement of a law that has not the general bulk of public sentiment at its back?—No, that is the reason why the permit system failed—it had not the support of the people.

36022. You no doubt heard what the police officers had to say about the difficulties they experienced in regard to people bringing in liquor. They said that their main difficulty was due to the fact that the strong sentiment of the people was unhappily not behind them, assisting them to carry out the law?—It is very difficult no doubt to secure conviction in many cases, and this was generally owing to the fact that the people's sympathies were rather with the men who violated the law.

36023. We have heard that violations were in favour with the people of the community?—Yes, no doubt of it.

36024. Have you considered the question of granting compensation to brewers and distillers in the event of the passing of a general prohibitory law, a law prohibiting the manufacture, importation and sale of intoxicating liquors for beverage purposes?—My own opinion is that they should be remunerated. They have been compelled by law to put in certain machinery, and the law having compelled them to do this, they should be compensated for their loss.

*By Rev. Dr. McLeod :*

36025. Will you state briefly what are the benefits of the license law as you have observed them?—I claim that so far as my observation has gone that there is less drinking and less drunkenness under the license system.

JOHN W. BETTS.



36026. Some witnesses have testified that there seems to be an increase?—I am only expressing my own opinion. Of course the Commission will have the Magistrate's reports of convictions.

36027. Will those reports show the facts?—It would hardly be fair to compare the two systems until the next session, which will be next January. The record of last year under the permit system and the Magistrate's report tell very heavily against the morality of the people.

36028. Was the question of license law or prohibition the chief issue at the last general election?—I cannot say. I ran as a stringent license law man and in favour of a law similar to local option. One of my opponents ran as a prohibitionist.

36029. Was he defeated?—Yes, he only polled 41 votes.

36030. Was it because he was a prohibitionist?—It would not be fair to say that.

36031. You would not say that that was the issue?—No.

36032. Two of the witnesses have said that it was not an issue; others have stated that that issue was forced on the constituencies more or less in certain places but it was scarcely one of the issues before the country?—So far as my district is concerned that is a fair way of putting it. I tried to make it an issue, but I was not altogether successful, and very many temperance people voted for me although they knew I was a license man. I suppose, however, they felt, as I felt, that a license law would be better than the permit system.

36033. You consider they were of that opinion?—I have no doubt about it.

36034. You think the feeling of the people was against the late system?—Yes.

36035. Was it against the permit system or against prohibition?—Against prohibition.

36036. They did not like the prohibition. To which of the two systems had they the greater objection?—I was simply saying that the strong objection of the people was to prohibition.

36037. What reason led you to that conclusion?—We are naturally independent people here and did not feel very much the influences of the Dominion Government, and we consider that we have as many intelligent constituencies as are to be found in any other province. I consider the License Act of the Territories is sufficient evidence that we grasped the responsible position we occupied in legislating on the question of liquor.

36038. Do you think it would have been well to have appealed directly to the people to have ascertained their will on this question?—You mean in the way of a plebiscite?

36039. Yes?—I do not think it would have been well. I claim that the people must educate themselves on these questions and thus be enabled to select proper representatives. I do not believe in holding an election on every question on which it is supposed that a law must be passed.

36040. Do you think it would have been well to have had the question tested at the polls and representatives selected with special reference to it?—I think it would have been as well.

36041. I understand that, in your opinion, under the license law the liquor trade will be better secured?—Yes, I think so.

36042. Was there non-enforcement under the old system, or, in other words, violations of the permit system?—There was really very little enforcement about it. You had the right under that system of obtaining a permit to import liquor for your own use, and if you secured a permit, you brought it in.

36043. Then the system came by and by to be one permitting the importation generally of four per cent beer for sale?—I think that lessened consumption of strong liquor, although I was never of the opinion that it was a wise step to take. I may say, however, that it did lessen the consumption of strong liquor.

36044. Do you think a measure of prohibition such as was had here, with permits included, may be regarded as a test of the reliability of prohibition?—Yes. I do not, however, believe in local prohibitory laws.

36045. Do you believe in a national prohibitory law?—Yes; I believe it is possible to carry out such a law.

36046. Do you believe that it would be possible to carry out a national prohibitory law?—I do.

36047. Of course you believe that if there was enforcement of such a law, it would be beneficial?—I believe it would be beneficial to the country.

*By Judge McDonald:*

36048. How do you propose to enforce general prohibition; or have you considered the question at all?—No, I have not considered it at all. I think the Government should consider the question.

36049. The officers of the Mounted Police have spoken of the large quantities of liquor smuggled into the Territories from the United States and have testified that they found it impossible to keep such liquor out. Taking the vast extent of this country from the Atlantic to the Pacific and the coast line of this Dominion, I ask whether you have ever considered seriously the question of keeping liquor out of this country?—If it would be a benefit to the country, keep it out, let the expense be what it may.

36050. In order to carry such a law and enforce it successfully, would you need a preponderance of sentiment in favour of it?—Do you mean a preponderance of sentiment to enforce the law?

36051. Do you think the preponderance of sentiment in favour of such a law is so great as would enable you to enforce it?—Yes, my opinion is based on the assumption that there is in the Dominion of Canada a strong sentiment in favour of prohibition.

36052. If that sentiment exists, you think it should be crystallized into an Act of Parliament?—The Government should not hesitate to enact such a law and find means to enforce it.

36053. What means would you suggest in the North-west Territory other than those you have had?—If liquor is not manufactured in the country the difficulty of affording protection against smuggling would not be so great as now.

36054. What other difficulty applies near the boundary?—The difficulty of private distillation is one that has had to be fought in the old country, and some means should be brought to bear here as well as there.

36055. I suppose you have considered practically the details?—No.

THOMAS McKAY, M.L.A., of Prince Albert, farmer, on being duly sworn, deposed as follows:—

*By Judge McDonald:*

36056. I understand you are a member of the Legislative Assembly of the North-west Territories?—Yes; I am a representative of Cumberland.

36057. Were you a member of the last Legislature?—No.

36058. How long have you lived in the Territories?—I was born in the Territories and have lived here ever since.

36059. Before the permit system came into force what system was in force with regard to the sale of liquor?—There was free trade in the country.

36060. Then there was no license law in force?—No; not at all events in the North-west Territories.

36061. Were there no regulations under the Hudson Bay Company?—The Company did not regulate it. The Indians came in large parties and stayed around the forts often for a year, and endeavoured to get all the liquor they could. After that the Indians would go to the hunting grounds.

36062. Among the white people was there free sale?—Yes.

36063. Were there places where liquor was sold?—The Company would not sell to those who made a bad use of it.

36064. I believe the Hudson Bay Company stopped the sale of liquor in 1865. How did the people get liquor after that?—By traders.

JOHN W. BETTS.

36065. What kind of liquor was sold?—Good, bad and indifferent, a good deal of the poorer qualities.

36066. Was there not a liquor called the Company's rum?—Hudson Bay rum.

36067. Were the people in those days sober people?—Yes; there was not a great deal of drunkenness.

36068. After the Territories came under the control of Canada, we understand liquor could be had under permit?—The liquor had to be got from the Company's stores, and it took a long time to obtain it. The Company's officers could only make a trip once a year to get a supply, and the supply would not last a year.

36069. What class of people were selling at that time, were they pedlars?—Yes.

36070. They would peddle other goods, I suppose, as well as liquor?—Yes, but some had liquor only—those in this part of the Territories. All along here and near York Factory they dealt in liquor exclusively.

36071. Then we understand the permit system came into force. Did you see the working of it?—Yes.

36072. Did you find it work satisfactorily?—No, not very.

36073. Did you hear the evidence of the Mounted Police given before the Commission to-day?—No.

36074. Then you do not know the extent of the difficulties with which they had to contend in regard to the smuggling of liquor into the Territories?—I do not know of them, but I was in the country before them and have seen the matter for myself.

36075. Do you refer to the smuggling?—Yes.

36076. Latterly of course smuggling increased, and the permit system became a failure. It has been suggested that the increased issue of permits was owing to the quantity of smuggled liquor that came from the United States and that it was thought better to increase the quantity of liquor brought in under permit and have it of a better class; and that as people came into the Territories they objected to the law because they had always been accustomed to having all the liquor they wanted.—The people were not accustomed to have liquor in the Territories.

36077. So it was really an arrangement to meet the popular demand?—Yes.

36078. We understand that the North-west Legislature at its last session passed a license law. Have you observed its working since it came into force?—Not very much.

36079. Have you observed the operation of the law, and in your opinion does it work very well?—Yes.

36080. Are there any suggestions you can offer to the Commission with respect to amendments of the law?—No, not so far as the North-west Act is concerned; we have made what amendments are considered necessary.

36081. Have you considered the question of granting remuneration to brewers and distillers in case of the enactment of a general prohibitory law, for their plant and machinery rendered useless?—I have never given that question any consideration, except in a general way.

36082. You have had no licenses here, I understand?—I believe all legalized brewers should receive compensation, but I have never gone into that question.

JAMES P. A. STULL, of Prince Albert, teacher and Clerk of the Municipality, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

36083. How long have you lived in the North-west Territories?—I have lived here since July, 1885.

36084. Have you lived anywhere else in the Territories besides Prince Albert?—No.

36085. Did you come here from Ontario?—I came here direct from Manitoba, but from Ontario formerly.

36086. From what county did you come?—From Wellington.

36087. How long is it since you left Ontario?—10½ years.

36088. In those days was there a license law in force?—Yes.

36089. Have you had any experience of a prohibitory law anywhere else than in the Territories?—No.

36090. What has been your experience as to the success of the law as it was carried out?—It was not a success as it was worked.

36091. That was under the permit system?—Yes.

36092. Have you observed the operation of the license law since it came into force?—Yes.

36093. How have you found it work?—It is worse than the permit system.

36094. In what way?—In regard to drinking. There have been more fines under this system than before.

36095. Do you mean within a corresponding length of time?—Yes.

36096. Have you the record made up to show that?—There were two persons fined in 1889 for drunkenness, one in 1890, there were four persons fined in 1891 and one in 1892 prior to the 1st of May, and there have been fifteen since.

36097. Does the town receive a revenue under the license law?—The town receives the fines.

36098. Does the town receive any proportion of the license fees?—Yes, they receive fees for licenses for the hotel and wholesale establishments, \$175 for each license, making \$525.

36099. Have not all the persons who have been fined been what are called repeaters?—I think one or two were.

36100. Have you anything to do with the inspection of licenses?—No.

36101. Has the general order of the community been affected by the change in the law?—I think it has been very much.

36102. Is that according to your observation?—Yes.

36103. Have you considered the question of prohibition?—Yes.

36104. In case of the enactment of a general prohibitory law, would you favour the granting of compensation to brewers and distillers for loss of plant and machinery?—No, unless the distillers and brewers would also place against it the loss occasioned to hundreds of families by drink.

36105. You would have the accounts balanced, I suppose?—Yes.

36106. You desire to consider both sides?—Yes.

36107. And, as the balance shows, so you would have the demand met?—Yes.

36108. Taking the license system as you have found it and seen it in operation, have you any amendments to suggest?—No, and I am not in favour of a license law.

*By Rev. Dr. McLeod :*

36109. I think you said that the order of the town had been affected by the enactment of the license law?—Yes, by drinking.

36110. You think disorders have increased?—Yes. I think, however, that so far as the townspeople themselves are concerned, there has been a great change of late years; a great many of the people belong to the Royal Templars and are against the licensing of the drinking trade in the town. As regards people outside of the town, I may say that I have known people come here who were not in the habit of taking liquor previously, but who now take two or three glasses.

JAMES P. A. STULL.



*By Judge McDonald :*

36111. Was the trouble with those who came in from outside?—Yes.

36112. Were they white men or Half-breeds?—Some of them were Half-breeds.

36113. Were there any full Indians?—No, I think they were all Half-breeds.

VENERABLE ARCHDEACON MCKAY, of Prince Albert, Clerk in Holy Orders and Archdeacon of Saskatchewan, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

36114. How long have you resided here?—I was born in the North-west Territories.

36115. How long have you resided in Prince Albert?—Since 1887. I came here six years previously and was then here for two years.

36116. Then you have seen the working of the permit system in the North-west Territories. Did you notice whether it had the effect of prohibiting the use of strong drinks as beverages?—To a certain extent. My experience has been chiefly with the Indians, and my work has been chiefly among them. The system certainly kept liquor from the Indians.

36117. Have you seen anything of the operation of the new law since it came into force?—I have been among the Indians a good deal.

36118. Do you know whether the Indians obtain more liquor now than they did under the old system?—I have not seen any instances, and have not received any reliable information with respect to their getting liquor. The only reliable information I have come across was about their getting liquor or getting liquor brought to them. I was for a few weeks among the Indians on a reserve. An Indian in whom I have great confidence told me that liquor had been brought on that reserve. The liquor had been brought there by men who were traders, and there was a lot of drinking going on.

36119. As a citizen of Prince Albert, have you noticed any change in the habits of the people since the new law came into force?—I am not very much in the town and I cannot speak from my own observation as to the change generally, but I can say this, that I have seen more drunkenness since the license law came into force than I ever saw before within the same time during my visits to Prince Albert. I am here occasionally on business. I repeat that I have seen more drunkenness on the streets than I ever saw before.

36120. Did you see under the permit system, men and their friends obtaining liquor under a permit and sitting down together and drinking until the whole quantity was consumed?—I have not seen that, but no doubt that statement is quite correct.

36121. Have you had any opportunity of forming an opinion of the character of the liquor that came in during the time that law was enforced?—Only from hearsay. I am a total abstainer and never taste liquor; but I have heard statements to that effect.

36122. Did you hear statements as to the foul compounds used?—Yes. I have heard statements that a great deal of very poor liquor was brought in, but my impression was that the poor liquor brought in was generally smuggled liquor, while the liquor brought in under permit was as good liquor as is usually sold.

*By Rev. Dr. McLeod :*

36123. What is your view about prohibition?—My view about prohibition is, that it would be a very good thing, if it could be enforced.

36124. Do you think it could be enforced?—I am afraid it would be a very difficult matter in a country like this. I think if every effort was made, if as good efforts were made as are made to enforce other laws, a prohibitory law could be enforced.

36125. Do you think national prohibition would be a good thing?—Yes, I do, if the moral sentiment of the country was in favour of it. A prohibitory law could not

be carried out unless that was the case. Undoubtedly prohibition would be a good thing, if it could be carried out.

*By Judge McDonald :*

36126. You have the voice of the people speaking through their representatives in the Legislature that enacted this law which has been in force in the North-west Territories a number of years ?—Yes.

36127. I understand you did not find it a success, and it could not be enforced ?—You mean the permit system.

36128. Yes.—No, it was not a success.

36129. Do you think it would have been successful if there had been more public sentiment in favour of it : would you not require to have such weight of public sentiment as would make it clear that the law must be observed ?—I should certainly judge that the success of a prohibitory law must depend on the amount, so to speak, of public sentiment at the back of it.

36130. It is found in regard to the license law that the prohibitory clauses forbidding sale on Sundays and in certain hours on week days, commend themselves to the whole community ?—Yes.

36131. So if the officials look after the observance of the law, they can secure its proper enforcement, for nobody would object to its enforcement. Have you considered that question in connection with the subject of prohibition. Do you not think that you would have to obtain such a weight of sentiment in favour of prohibition as would lead to the practical enforcement of it ?—Yes, I should judge so. . A prohibitory law would be more or less successfully carried out according to the amount of public sentiment in its favour.

36132. We must take the country from ocean to ocean. Suppose we had the Maritime Provinces strongly in favour of prohibition, Quebec against it, Ontario undecided, Manitoba strongly in favour and British Columbia strongly against it, would you hope to secure its success in those sections opposed to prohibition, or to enforce it as strictly as you would hope to do in this province where public opinion was strongly in its favour ?—It would be more likely to be observed if there was prohibition all over the Dominion than if there was prohibition in one section of the country.

36133. Would you not find it more easy to enforce prohibition in this province where the sentiment is strongly in its favour than in those provinces where public sentiment was strongly against it ?—Undoubtedly. But I would consider it would be easier to enforce it in those provinces where the sentiment was against it if there was a general prohibitory law for the whole Dominion, because I quite agree with what I heard one of the witnesses say, I think it was Mr. Betts, that the feeling of a good many people in the Territories was that they were restricted in regard to the sale of liquor, which was allowed in other places, and they rebelled against being treated differently from their neighbours.

36134. That sentiment led, of course, to non observance of the law ?—I think so, to a certain extent at least.

36135. In case of the enactment of a general prohibitory law, would you favour the granting of compensation to brewers and distillers for their loss of plant ? Exceptional cases would no doubt demand exceptional treatment, but looking at the question from a general standpoint, I should not think they were entitled to any remuneration. If they could show that exceptional expenses had been incurred by them, that would undoubtedly call for consideration.

PETER ROBERTSON, of Prince Albert, Chief of Police, recalled.

*By Rev. Dr. McLeod :*

36136. Have you the records of the arrests?—I have the record of arrests since the license system came into force.

36137. Have you the record of arrests previously?—Yes.

36138. Will you furnish the Commission with such a statement?—The statement is as follows :—

Statement of arrests made in the Town of Prince Albert, N.W.T., between the 1st of May and the 1st of November, 1892.

Drunk and disorderly.....	27
Furious riding or driving.....	4
Selling liquor without license.....	2
<hr/>	
Total arrests.....	33

ANDREW WESTWOOD, of Prince Albert, hotel clerk, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

36139. What is your business or occupation?—I am Clerk of the Queen's Hotel here.

36140. How long have you resided in the North-west Territories?—About 18 years.

36141. Did you come here from one of the other provinces?—From the old country, from Scotland.

36142. To what point in the Territories did you come first?—I first joined the North-west Mounted Police.

36143. Where did you join that force?—At London, Ontario.

36144. In what portion of the North-west Territories were you stationed?—All over. At Macleod, Calgary, Edmonton, Wood Mountain, and at every point all over the country, principally near the boundary.

36145. Of course you had some experience in the working of the permit system?—Yes.

36146. It was part of your duty, I suppose, to look after the enforcement of the law?—Yes, in those days permits were given by the police officers.

36147. What were the requisites of the persons to whom permits were issued?—They could get liquor easily.

36148. For what quantities were permits given?—They were given for from two to ten gallons in those days.

36149. From what point was the liquor brought?—Principally from the other side of the line, mainly from Fort Benton, on the American side.

36150. What was the character of the liquor that came in?—It was alcohol principally.

36151. Was it of good quality?—I could not say it was very good ; in my opinion it was very poor stuff, that would make a man sick after drinking it.

36152. Had you any experience of liquor smuggling?—Yes ; large quantities were smuggled in in those days.

36153. In what shape?—In all kinds of shapes.

36154. Please state in what kind of packages?—It was done up the same as canned fruit, with labels on the cans.

36155. Was it sealed up?—Yes, just the same as canned fruit. After the railway came in, I have seen it shipped in tin boxes made to represent Holy Bibles.

36156. Was it brought in in any other form on the trains?—I have seen it shipped as bottles of fruit and as pickles and preserves.

36157. Did you ever find it in any other packages?—Yes, I have seen it shipped in as four per cent beer, and also as sugar and salt. It was brought in in all kinds of packages of merchandise.

36158. We have also had it in evidence that spirituous liquors were brought in as temperance beverages. Was that the case?—Yes.

36159. And also that consignments would be shipped to persons who did not use intoxicating liquors?—I have noticed such cases.

36160. In discharge of your duties did you have to go among the Indians and Half-breeds?—I was among the Indians a good deal.

36161. How did you find the system operate as regards them?—In those days I have seen them frequently in a state of intoxication, not from whisky but from essences and pain-killer and other compounds.

36162. Did the Indians use pain-killer?—I have frequently seen people take some black tea and half a dozen plugs of tobacco and a few bottles of pain-killer and some essences and mix them together and drink the compound hot. It made a kind of toddy.

36163. What was the effect on the individuals?—They would keep on drinking until they dropped out, and they would get half wild.

36164. Did you ever know of eau de Cologne and hair restoratives being used as drinks?—Yes, almost everything has been drunk in the Territories.

36165. We have had it in evidence at Regina that even red ink was used?—I think I have seen almost everything used, sweet spirits of nitre, sulphuric ether, Dr. Thomas's oil and almost every liquid that was ever put in bottles.

36166. Were those liquids used by white men as well as by Indians?—Yes.

36167. Do you know whether cases of liquor were cached along the border?—No, I have never found any. I have found liquor cached near the border; holes would be dug out and the liquor put in. I have also found it at the back of stables among manure piles.

36168. So all kinds of liquors were brought in?—Yes.

36169. And at this time the permit system was in force, we understand?—Yes.

36170. When did you leave the police force?—I left the force at Wood Mountain in 1888.

36171. Since that time you have been living in the Territories?—Yes.

36172. Have you as a citizen observed the operation of the law?—Yes.

36173. Did you find liquor sold and used?—Yes.

36174. And did you find the people using those compounds?—Not so much of late years.

36175. Did you see the four per cent beer in use?—No, I have not seen much of that.

36176. Have you observed the operation of the present license system?—Yes.

36177. I understand you are in charge of the hotel that is licensed?—Yes.

36178. Who has the license?—Mr. Oram, the proprietor of the house.

36179. Since May 1st the Territories have been under a license system?—Yes.

36180. Have you found any difficulty in preserving good order in the house?—No.

36181. Have you, as a citizen, considered that there has been an increase of drinking in the community?—I do not think so, because in the old days when people got permits and liquor was brought in illicitly, the people, when drunk, kept out of the way.

36182. So you think there is more drunkenness observable but no more in reality?—I do not think there is any more.

36183-4. When the permit system was in force, did you observe that when men got permits all their friends would gather and they would drink the liquor when it arrived until it was all consumed?—Yes, I joined in that many times myself.

36185. Does that kind of thing go on now?—No. Since the license law has come into force I do not think I have drank over 50 glasses of liquor. Before that time I would be with the boys when liquor was brought in.

ANDREW WESTWOOD.



36186. When you were with the police, did you consider that the force earnestly endeavoured to carry out the provisions of the law and stop as far as possible all liquor coming into the Territories?—Yes. We had parties out all the time.

36187. Have you had anything to do with the Indians since the new law came into force?—No.

36188. Are there many Indians near here?—There are quite a few across the river.

*By Rev. Dr. McLeod:*

36189. Were you connected with the hotel before May 1st?—Yes.

36190. And you sell the liquor?—Yes.

36191. You are clerk of the hotel, I suppose?—Yes, and attend to the bar. I am in charge of the whole house.

*By Judge McDonald:*

36192-3. Has there been, within your knowledge, sale to Half-breeds since the license law?—There are very few Half-breeds here, taking my experience of the house, who buy liquor.

36194. You think compounds were used both by Indians and by Half-breeds?—Yes.

36195. Did you hear of white men making up those drinks?—Yes.

*By Rev. Dr. McLeod:*

36196. Your hotel is the only retail licensed place in the town?—Yes.

36197. Are the provisions of the license law well observed by you?—I think they are.

36198. That is your belief as manager of the hotel?—Yes.

36199. There is no sale after hours or on Sundays?—When I am there, I generally close pretty promptly, often, indeed, we close before the regular hour.

Miss LUCY M. BAKER, of Prince Albert, on being duly sworn, deposed as follows :—

*By Judge McDonald:*

36200. What is your occupation?—I have been a missionary teacher for several years in connection with the Presbyterian Church.

36201. What are the duties of your position?—At present I am teaching. We have opened a school for the Sioux Indians across the river. It has only lately been opened.

36202. Is it a school for both secular and religious instruction?—Yes.

36203. Is it for boys and girls?—Yes.

36204. How many pupils have you?—About 20 on the roll; there is an average of 10 or 11. There are several young men who attend when they have no work; they are very much interested, and come to school regularly when they are not working. The rest are young children.

36205. Do you find them quick to learn?—I never taught pupils who were more so.

36206. How are they as to habits; are they well behaved?—They are beginning to be so. The young men behave exceedingly well.

36207. But the children are more difficult to manage, I suppose?—Yes.

36208. Have you seen any special results as to the working of the liquor law in this community?—I have been here 13 years.

36209. So the permit system has been in force since you have been here?—Yes.

36210. How did you find it work?—When I first came here young men were in the habit, as some other witnesses have stated, of getting together and drinking liquor that had been brought in; especially as they could not get any more for a while.

36211. Did the Indians get liquor?—They have not got it as yet.

36212. And I suppose they did not get it in those days! Not to my knowledge.

36213. You think, I presume, that it is most desirable to keep it away from them?—Yes. Of course I do not know how liquor affects white people particularly, but it has a most disastrous effect on Indians. The temperance societies are working together now, and they must have the credit of placing this town in a better position than it formerly occupied. The permit system was practically prohibition to the Indians.

36214. Has there been up to this time any very marked change in the Indians?—I have seen acts done by the Half-breeds that I did not like to see. We have taught Treaty Indians who come to school. Until a year and a half ago they never saw people get liquor; but since the license system has come into force I have seen some of those young treaty Indians drinking.

36215. They are full Indians, I suppose?—I do not know. I spoke to one of them, and he said he was a non-Treaty Indian.

36216. So you are afraid as to the results as regards the Indians of the present license system? I would be afraid of their associating with the Crees. I heard of some going to the Crees' houses and spending the evening with them. One was a young man who came to the school.

36217. Do they speak English?—They are learning it.

36218. Did you come from one of the other Provinces originally?—Yes, from Huntingdon, Quebec.

36219. Have you found that a great change has taken place in the habits of the people as compared with former years?—Yes.

36220. Have those changes become more marked every year?—Yes.

*By Rev. Dr. McLeod:*

36221. I understand that you have been engaged 13 years on mission work?—Yes.

36222. In this vicinity?—Yes.

36223. You have reason to fear from what you have seen since the license system has come into force, that the Indians may be led astray?—I have great fear of it. During one year and a half before the license system I never met a drunken Treaty Indian or low Half-breed; but I have met them coming and going since then. I did not like their condition.

36224. You say that prohibition under the permit system did prohibit?—Yes, so far as the Indians were concerned. I think classes of people are getting liquor now who did not get it before.

36225. Have you, as a teacher and having the interests of the community at heart, considered the question of prohibition in a wider way than formerly? I think I have.

36226. What is the conclusion at which you have arrived? Is it that prohibition would be of advantage to the country at large?—I think it would be. I believe we would be able to influence the minds of the young to favour total abstinence.

36227. You believe in moral suasion, I suppose?—Yes.

36228. Do you believe that your use of moral influences would be greatly aided by a prohibitory law?—I think so, most assuredly. The Treaty Indians cannot, of course, buy liquor. Two of those boys who came to school and an Indian got drunk on this side of the river. I desired to have one of the young men take me to the place where they had obtained the liquor. I told them in Sioux that if it were known who had given them the liquor, there would be a severe punishment inflicted, and that they must not follow such practices or they would be locked up. The man to whom I spoke understood this, and although he was very drunk and could not stand, he said, "I am a non-Treaty Indian."

36228a. Then he could exercise his personal liberty by getting drunk?—Yes.

36229. Can any non-Treaty Indian get drink?—I do not know. He used that expression, and said that no person had given it to him.

36230. As to the Half-breeds, is it not a fact that unless they bring themselves within the provisions of the law by becoming Treaty Indians, they can have the same

MISS LUCY M. BAKER.

privileges as other citizens?—The Half-breeds will get the liquor and give it to the non-Treaty Indians, and the non-Treaty Indians will give it to Indians.

36231. Under the old system the Half-breeds could not get liquor easily, I suppose?—No, I never saw any of them drunk before.

THOMAS O. DAVIS, of Prince Albert, merchant, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

36232. How long have you resided in Prince Albert?—12 years.

36233. Have you resided anywhere else in the Territories than in Prince Albert?—No, but I have resided in Manitoba.

36234. How long did you reside there?—About one year.

36235. Did you come here from one of the other provinces?—From the Province of Quebec, from Iberville, close to Montreal.

36236. You have some experience of the working of the permit system in the North-west Territories, I presume?—Yes.

36237. Have you observed the working of the license law since May?—Yes.

36238. So far as your experience has gone, taking in the two systems, which in your opinion is preferable?—I think the license law is preferable.

36239. What difficulties were experienced in enforcing the permit system?—There was a tendency among the people to drink too much when they did drink. Some one would obtain a permit occasionally and he would invite his friends, and when the liquor arrived they would sit down with some people who invited themselves, and they would drink the whole of it. They would drink too much, and this would have a serious effect on people who drank only occasionally.

36240. Do you refer to liquor that was brought in under permit, or to liquor which was smuggled into the Territories?—To liquor that was brought in.

36241. Of what character was the liquor which was smuggled?—Generally they smuggled nothing but alcohol. They used almost anything in the early days.

36242. Do you know anything about the compounds that were used?—Yes, I have seen a great many used : Pain-killer, Bay rum, Florida water, Burdock's Blood Bitters and anything that contained alcohol. I have seen hair restorative used as a beverage.

36243. Have you seen red ink used as a beverage?—No, but I have seen nitre used.

36244. How were those compounds made up?—They were used by men who could not obtain anything else. Before the building of the railway there was no communication between here and Winnipeg except by carts. The liquor arrived in the spring and fall, and when the last carts came in the fall there would be no more come in until June or July. The permits came in in the fall and there was a general spree until the liquor was finished, and then they would finish off with whatever they could get in the shape of drugs.

36245. How would they do the rest of the season, until the spring arrived?—They would have to do without liquor, if there were none of the compounds left. If there were any they would mix them up and use them ; indeed some of the men got so accustomed to them that they would use them in preference to the liquor. I have known instances of that.

36246. Then in the spring more liquor would come in, I suppose?—Yes.

36247. After the railway was constructed was there an increased supply of liquor under permits?—Yes, there was no lack of it.

36248. Was that after the main line of the Canadian Pacific Railway was built?—Yes, we could then obtain it more easily.

36249. Had you any experience of liquor smuggled in in packages of merchandise and in other ways?—I have heard all kinds of stories.

36250. I refer to liquor being contained in packages of sugar and rice and so forth?  
—Yes.

36251. Have you noticed whether sale of liquor is going on among the Indians?—I have not. I have noticed a few Indians and Half-breeds drinking.

36252. Taking your experience, do you think it would be practicable to enforce a prohibitory law, a law prohibiting the manufacture, importation and sale of intoxicating liquor for beverage purposes?—No, I do not think you could enforce it.

36253. Do you think, in case of such a law being passed, that it would be right and just for brewers and distillers to receive remuneration for their loss of plant and machinery?—I do.

36254. Judging from what you have seen of the license law since the 1st of May, are there any amendments you could suggest?—No, except curtailing the number of licenses granted, for I find in some districts there are too many licenses.

36255. In this town we understand there are only one hotel license and two shop licenses granted?—Yes. I do not think there are too many in Prince Albert, but there are enough. At Batoche there is one licensed place, further up there is another, besides two at Duck Lake. This system will have a tendency to make people in the rural districts drink more. Any man may come into town and buy liquor, but if you take an isolated liquor store where, according to the license, the licensee must sell only wholesale, there is a great tendency to sell by the glass.

36256. We have been told that the cases of drunkenness that have occurred have been mostly among non-residents of the town, visitors who come here. Do you know anything else on that subject?—I could not say exactly, but I think they are principally outsiders living in the adjoining country. There does not appear to be an increase amongst the people of the town.

JOHN McTAGGART, of Prince Albert, Agent for Dominion Lands, on being duly sworn, deposed as follows:—

*By Judge McDonald:*

36257. How long have you resided here?—Between seven and eight years.

36258. Where did you reside before coming here?—I resided in Touchwood in the summer of 1884.

36259. Did you come here from one of the other provinces?—I came here from Ontario.

36260. What County?—Victoria.

36261. Have you noticed the operation of the permit system in the North-west Territories?—Yes.

36262. How did you find it work?—Very unsatisfactorily. Permits were too easily obtained.

36263. Have you ever noticed men getting together with their friends when a permit would come in, and drinking until the liquor was all gone?—Yes, I have heard of that.

36264. Have you noticed anything of the working of the license system since 1st May last?—Yes.

36265. How have you found the present law work?—I have noticed more drunkenness since that time than before.

36266. Are you favourable to license or prohibition?—I am in favour of prohibition.

36267. Are you opposed to license on the ground of expediency, or on the ground that it is wrong to license?—I think it is wrong to grant licenses, and it is inexpedient as well.

36268. You think the granting of licenses is wrong in principle?—Yes.

36269. And you think prohibition is right in principle?—Yes.

THOMAS O. DAVIS.



36270. In case of the enactment of a prohibitory law, a law prohibiting the manufacture, importation and sale of intoxicating liquors for beverage purposes, would you favour the granting of compensation to brewers and distillers for loss of plant?—No.

36271. Do you know of any business that is prohibited by Act of Parliament as it is suggested to prohibit the liquor business?—Sometimes the operation of the tariff causes other businesses to become unprofitable and prevents men making money out of them; but in this case they should have studied the point before they entered the business.

36272. Have you considered the question of the treatment of the habitual drunkard. There are men who are constantly before the police courts and are sent to prison for short terms. It has been suggested that it would be better to send those men to inebriate asylums with a view to their reformation, or at all events with the object of keeping them away from saloons?—Yes, provided the drink could not be kept away from them.

*By Rev. Dr. McLeod:*

36273. As Dominion Lands Agent, what are your duties?—To grant entries for land, make sales of land, and so forth.

36274. So you make sales of Dominion lands?—Yes.

36275. Within what area have you charge of Dominion lands?—I have charge of the Prince Albert District. It extends from the northern boundary of the Saskatchewan east to Range 13 and Range 10 west.

36276. Your duties, I suppose, bring you into contact with the people a great deal?—Yes.

36277. Do you have to travel much?—No, my business is in the office.

36278. Then people come to you?—Yes.

36279. Are you able from your contact with business people to form an opinion as to how they regard the drink traffic and what treatment they desire to give it, whether they desire a system of permits, license or prohibition?—I think if the question were left to the people, they would rather have prohibition.

36280. From your observation of the old system and the issue of permits, have you reason to believe that whatever dissatisfaction there was with the system was directly attributable to the lax administration of the permit system?—Most decidedly.

36281. The statistics show that the number of permits issued increased remarkably of late years, and it would seem that permits were issued indiscriminately of late years. Were you able to observe whether that was the case or not?—When I came to the country first permits were not so easily obtained as they were subsequently. Governor Dewdney was in power at that time, and he seemed to be very unpopular indeed, and still no one could say anything against him or point out any particular wrong he had done. I could not understand from what his unpopularity arose. I subsequently found it arose from the permit system, that some persons were refused permits while others were granted them, and this caused dissatisfaction. Later on the restrictions were taken away considerably, and as the restrictions were removed Governor Dewdney's popularity increased. I noticed that during the latter part of his term he was very popular.

36282. That would seem to indicate that the people wanted liquor?—Only those who made the most noise.

36283. You have observed, I suppose, the working of the other systems: the permit system at first, when some care was exercised in the issue of permits, and later the four per cent beer plan, and since 1st May the license system. Placing those three systems side by side and looking carefully and thoroughly at their effects, which do you think is the best system?—The permit system.

36284. As early exercised and administered?—Yes, by all means.

36285. Was there any attempt made in Prince Albert and in its vicinity to prevent the change being made?—No.

36286. Was no petition sent?—Not that I am aware of.

36287. Was no application sent from Prince Albert to have a plebiscite taken on this question?—Not that I am aware of.

36288. You do not know that the people of Prince Albert made a requisition to the Legislature to have an aye and nay vote on the question?—No, the matter was brought strongly before the people. The elections came on quickly, almost before the temperance people had time to look round them for candidates. I was told that all the candidates were rather in favour of license ; so there was no option.

36289. Do you understand that the enactment of a license law was not in any sense an issue at the last election?—I do not think it was. I was not, however, present here during the election. I was in Ontario while the elections were progressing.

36290. Since the license law came into operation, have there been any complaints made by the people here of liquor being obtained by Indians and Half-breeds?—I have heard a good deal about the Half-breeds obtaining more liquor under the license system.

36291. Has any representation been made to the authorities at Regina?—There has been.

36292. In a formal way or by individuals?—By a petition.

36293. Was the petition numerously signed?—I do not know how many signatures there were.

36294. What did the petition set forth?—The petition complained of liquor being brought across the river to the Indians and Half-breeds, and asked that some steps might be taken to prevent that sort of thing being carried on.

36295. Has there been any reply made to that petition?—Yes, the reply of the authorities I understand was—

JUDGE McDONALD.—Did you see the reply?

WITNESS.—I saw the paper. The reply was that the police authorities had the matter in hand and would investigate.

*By Rev. Dr. McLeod :*

36296. Has there been any change in the condition of affairs?—It was only within the last two or three days.

36297. But your observation so far as the license system is concerned is, that there has been more drinking and drunkenness than previously?—Yes ; I think there has been more drunkenness since the license system came into force.

*By Judge McDonald :*

36298. You have worked along with the friends of prohibition in Prince Albert, I suppose?—Yes.

36299. Can you tell me whether they wanted a license law or petitioned for local prohibition?—No.

WILLIAM GUNN, of Prince Albert, advocate, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

36300. How long have you resided here?—Going on 12 years.

36301. Where did you reside before?—In Manitoba ; I was born there.

36302. When you came to the North-west Territories, was the permit system in force?—Yes.

36303. Did you see anything of its operation?—I saw a good deal of its operation.

36304. Will you kindly state what your observations were?—My impressions were that when a person wanted liquor and to go on a spree he would ask for a permit. He could get a permit for from 2 to 10 gallons. I suppose, although I never got one, that it was at the time when unlimited permits were granted to certain individuals. As other witnesses have said to-day, when the permit arrived, John Smith was the friend of every man in the place ; they gathered around him and stayed with him until there was

JOHN McTAGGART.

nothing to stay for. Later on there was a lot of liquor in the country, smuggled and otherwise. Large quantities of liquor were brought in under permit. I know that as a fact, because I have seen 200 gallons of what we called "forty-rod," the worst kind of whisky made, on one outfit, and in the same cargo I suppose there were 200 gallons I did not see. There were lots of cases of that kind where large quantities of liquor were smuggled into the country.

36305-6. How was the liquor packed?—It was in 20 gallon or 10 gallon kegs. It was taken up the Canadian Pacific Railway road to Rush Lake and then to the South Saskatchewan, 15 or 20 miles, where it was put on flat boats and brought down to within 15 miles of here, where it was sold at from \$7.50 to \$20.00 a gallon. I have also seen it brought in in cans labelled apples and as different varieties of canned goods.

36307. Were the tins sealed?—Yes, the same as canned goods in a store, as they appear on the shelves.

36308. Were pain-killer and other substitutes used, to your knowledge?—Yes, I know that from practical experience.

36309. What were used?—Pain-killer and bay rum, a mixture of beef, iron and wine, blood bitters and things of that kind. They also used extracts and essences and Jamaica rum. It was quite common when I first came here to meet a man travelling round with a number of small bottles in his pocket containing liquids of this kind, and at the same time looking around for a friend to have a spree.

36310. From what you saw, do you think that a general prohibitory law for the Dominion could be enforced?—I do not think so.

36311. I refer to a law prohibiting the manufacture, importation and sale of intoxicating liquors for beverage purposes. Do you think that if such a law were enacted, it would be possible to keep liquor out of the country?—A universal law might possibly be enforced, but not a local one.

36312. A universal law for what?—A universal law for the whole continent of America. I do not think even that could be enforced strictly, because there would be a large quantity brought into the United States as well as the Dominion.

36313. In case of the enactment of such a law, do you think it would be right and just that brewers and distillers should be compensated for their loss of plant?—Yes.

36314. Have you seen the operation of the license law in this town?—I have.

36315. How have you found it work here?—A great deal more satisfactorily than the permit system. I do not think there is nearly as much drunkenness in the town now. I have heard some evidence to show that such is not the case, but the reason for that might be explained in this way: the constable is on the lookout more sharply for drunks, and if he finds a man drunk he runs him in. Formerly it was not uncommon to see drunken men, but they were not run in. I have been there myself but I never was meddled with by the constable, and that was the case time and time again. So the number of fines was no index.

36316. Do you consider there was more drinking under the old law than now?—Yes.

*By Rev. Dr. McLeod:*

36317. As you escaped being run in before the license system came into force, have you been run in since?—No, I have not. I have not drank since. I have been a total abstainer since May.

36318. Is that because there is a license system now?—Yes, just because I feel it is a law we can respect, and one which we helped ourselves to frame. I have a thorough contempt for a prohibitory law, and I believe that the majority of the people in the Territories have the same feeling.

36319. Did the smuggling increase steadily?—I think it did, until during, perhaps, the last year or so.

36320. When the railway was built I suppose there was more. Do you know whether the number of permits was reduced of late years?—I have heard lots of people say they were refused permits.

36321. Did you notice whether the quantity specified on the permits increased of late years? I do not think so because the very first permit I got was for seven gallons.

36322. We have heard that the ordinary permit was for two gallons and scarcely ever above five?—The general run of permits was for two gallons and a man would get three gallons with it.

36323. Did you say that a man could get 3 gallons in on a 2 gallon permit?—Yes, they would allow that. We used Canadian measure, and the order was for 2 gallons Imperial, which represented 3 gallons Canadian.

36324. So there was not much of an attempt to respect prohibition?—I never came across very many people who respected it.

PETER ROBERTSON, Chief of Police, was again called.

*By Rev. Dr. McLeod :*

36325. When you say there is more drunkenness now than in former days, do you mean that you run in every drunken man?—No ; I take a drunk home.

36326. And it is only when they are disorderly you run them in?—I tell such a man that if he does not go home, I will arrest him. If he goes home quietly, although he is under the influence of liquor, very well ; I look after him if there is no possibility of his going home. Some of the old bums we have necessarily to arrest when they are in liquor.

The Commission adjourned, to resume its sitting in Regina.



REGINA, November 4, 1892.

The Royal Commission resumed its sitting here to-day.

*Present :*

JUDGE McDONALD.

REV. DR. MCLEOD.

JOHN H. C. WILLOUGHBY, M.D., of Regina, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

36327. How long have you resided in the North-west Territories?—About ten years.

36328. During all that time have you been engaged in the practice of medicine?—Yes.

36329. During all that time have you resided in Regina?—No, I have lived five years in Regina.

36330. Where did you reside the other five years?—I lived in the northern part of the Territories, principally at Saskatoon.

36331. Did you come from one of the provinces to the North-west Territories?—I came from Ontario.

36332. From what County did you come?—From near Toronto.

36333. Have you had experience in any other prohibitory country than the North-west Territories?—None at all.

36334. Have you seen the Territories under what was called the permit system?—I have.

36335. And also under the license since 1st May?—Yes.

36336. Which is the preferable system?—I think the license system.

36337. Did you find the other system not work satisfactorily?—Not to my mind.

36338. What was there about it, as regards its working, that was unsatisfactory?—The main unsatisfactory feature was the quantity of liquor brought in by applicants for permits.

36339. Have you reason to believe that liquor was smuggled into the Territories?—Yes, I have every reason to believe so.

36340. Have you any reason to suppose that the liquor that was so brought in was of an impure and injurious character?—Personally I know nothing of that. It was very frequently stated that the liquor smuggled in was of a very impure character.

36341. The Commissioners have been informed that it was the custom under the permit system, for people who obtained permits and got liquor to have a few friends come in, and they would drink until all the liquor was consumed?—That was certainly the habit in many cases, but not in all cases.

36342. The Commissioners have been also told that the people were in the habit of using pain-killer, eau de Cologne and other substances in lieu of liquor for beverage purposes?—In the northern part of the country, away from the railway, it was harder to get liquor in, and I have frequently seen people use such decoctions.

36343. Do you find the use of liquor of that kind confined to any particular class?—No, I cannot say so. I think it was not.

36344. It has been suggested that the only people who used pain-killer were men who were old toppers, and it was used after they had got over a bout of drinking liquor that would come in under permit?—I have seen a good deal of that too. Most of the liquor drunk in that way was used by persons of that kind, but it was not altogether so.

*By Rev. Dr. McLeod :*

36345. What was the chief defect of the permit system?—My chief objection to it was that liquor was brought in by parties in quantities from two to five gallons in kegs and was stored away somewhere in the house, and then a crowd would gather round and there would be a big drunk. That was one objection. Another objection was, that a man who really needed liquor in his house for medical purposes probably could not obtain a permit, while his neighbour, who did not need it for medical purposes, could obtain all the permits he wanted.

36346. On what conditions were the permits granted?—They were supposed to be granted for medical and domestic purposes, and on condition that the applicant was recommended by some one known to the Governor.

36347. How did it happen that persons who really needed alcoholic liquor for medicinal purposes could not get a permit, while those who did not want it for medical purposes could obtain it. How was the discrimination made?—I have known settlers who lived long distances away from the railway come into town, there being sickness in their families, and endeavour to get a permit, and could not do so, because no one whose recommendation would be taken by the Governor knew the parties.

36348. So the permit system was not administered simply for domestic and medical uses, but the permits were given according to the Governor's knowledge of the applicant. Was that the case?—I do not mean that at all. The Governor made a condition that whoever wanted a permit should be recommended by some responsible person.

36349. For instance, if a settler came into town and wanted liquor for medicinal purposes, would he not be recommended by you or some other physician?—I have refused to do so in many cases, because I did not know but that the person was lying about sickness in his family. I have no reason to give a man a recommendation unless he is known to me.

36350. You have said you knew cases where men who needed alcoholic liquor for medicinal purposes were refused permits. Would you recommend parties in case you did know them?—I would, certainly.

36351. Would a permit then have been granted?—I have known that some I recommended have been refused.

36352. And the parties were in need of alcoholic liquor for medicinal purposes?—Yes.

36353. On the other hand, have you known of parties who did not need to obtain liquor for medicinal purposes, obtain permits?—Yes.

36354. Do you think the permit system was badly administered, taking it altogether?—I do not think it would be possible to properly administer it.

36355. Do you think it could have been more efficiently administered than it was administered?—I do not know. I do not know enough about the manner in which it was administered to be able to state positively that it might have been managed better.

36356. Do you know whether permits were very freely granted or not?—Yes, I think they were; that is to say in the later years.

36357. What are the advantages of the license system over the permit system?—One advantage is that a man who really needs liquor is able to get it just as he requires it.

36358. And I suppose those who do not need it can get it without hindrance?—Yes.

36359. Then are we to understand that in the old days sometimes an application, endorsed by a respectable physician, would be refused, even when liquor was needed for medicinal purposes purely?—No, I would not like to make that statement positively, because I cannot recall to my memory now any particular case, although that is my belief.

36360. But you have said that some applications that were endorsed by yourself were refused?—I know some were refused when I recommended them, but I cannot remember any case now, and I would not like on my oath to state that such was the fact.

36361. Those people recommended were, I suppose, in need of liquor for medicinal purposes?—Yes, I was told that it was needed for that purpose.

JOHN H. C. WILLOUGHBY.

36362. You recommended them accordingly?—Yes.

36363. Do you think the Governor had any reason to believe that the persons desired to get liquor under fraudulent representations?—I was myself refused a permit for medicinal purposes. At that time I was living in Saskatoon. The Governor said he could not grant a permit to any one who lived there.

36364. What was the reason?—The reason was that he had promised the managers of the Temperance Colonization Society that people living there would not be granted permits.

36365. Not even for medicinal purposes?—I applied for a permit for liquor for medicinal purposes and was refused.

36366. Does license regulate the trade, according to your observation?—I think so.

36367. In what respect? Does it diminish drinking?—I cannot state as a fact anything about it.

36368. Does it diminish disorders growing out of drunkenness?—I believe it does. Since the license system has come into force, I think my experience has been that we are less called upon to attend patients suffering from drunken bouts.

36369. From your observation in Regina since the license system has come into operation, has there been less disorder than there was previously?—I think there has been less drunkenness since the license law came into operation than in the days of the permit system, when a crowd would gather together and drink a cargo of whisky and start round town and raise a racket. Since the license system we certainly have had less of that condition; but whether that is the reason of it, I would not like to say.

36370. Are you able to state whether there has been less drunkenness under license than under the permit system?—I think there has been less under license.

36371. From your observation do you believe that there was no prohibition practically under the permit system?—The prohibition was there, but it was not observed.

36372. It was not enforced?—I would not say that. A great deal of liquor brought in was smuggled, but so far as the authorities were concerned they tried to enforce the law.

36373. Do you think that the way in which the permit portion of the law was administered made the prohibition of no effect?—I would not like to answer that question; in fact I do not know much about the administration of it.

36374. Do you believe in the total prohibition of the liquor traffic?—I do, personally.

36375. Speaking about prohibition for the whole country, do you think that if a general prohibitory law were enacted, a law prohibiting the manufacture, importation and sale of intoxicating liquors for beverage purposes, it would be beneficial?

36376. As a physician, have you observed whether drinking men compared with total abstainers, have the same chances of recovery in case of serious illness, or has the total abstainer the better chance?—I do not think he has any better chance.

36377. Then you think the total abstainer has not a better chance than a drinking man?—I do not think he has any better chance than the man who might be called a moderate drinker. Of course, a man whose constitution is ruined by drink cannot stand the effects of disease.

36378. Do you find that many men are given to the drink habit, and accordingly have their constitutions undermined?—We have very few of them in this country.

*By Judge McDonald:*

36379. You have said in regard to your experience at Saskatoon, that the Temperance Colonization Company made an agreement with the authorities not to issue any permits to people living there, and accordingly the Governor would not grant permits?—That was stated as the reason for refusing me a permit.

36380-1. So there was a reason given, and that was the reason?—Yes.

36382. You have been asked whether the license system diminished disorders growing out of drunkenness, and you have said that you believed it did. The comparison you were asked to make was between that and the permit system, and you said that your belief as between the two was that the license system was the better. Take another side of the question. Take the license system and take the untrammelled sale of liquor to whom and when the dealer pleased, which would be the better system? The license

system that limits the number of places of sale and places the men in the trade under certain restrictions, or unlimited sale by everybody at any place?—That is a question I have never thought much about.

36383. Under which would you expect to have less disorder?—I believe in time you would have it under the free sale system.

36384. Do you mean you would have less disorder under it?—I think probably in time that the people would get so sick of it, they would abandon it of their own accord.

36385. So you think that if one or the other of the two systems were continued, there would be less disorder under free sale?—Yes, I think so.

36386. You spoke of smuggling that occurred. If there had been no permits in the Territories, would that have occurred?—Yes, certainly.

36387. Do you consider, from the experience you had, that general prohibition, if enacted, would be practicable and would be enforced?—The only experience I have had was with the permit system, and I know it was impossible to administer it properly, that is to keep liquor out of the country, for I know immense quantities of it were brought in.

36388. Did the Mounted Police appear to be faithful in the discharge of their duties?—Yes; but in a large country like this they could not be everywhere, and I know the law was not obeyed.

*By Rev. Dr. McLeod :*

36389. Do you know that the Saskatoon people requested that no permits should be granted for liquor for medical purposes?—I believe so, on account of being refused.

36390. You lived at Saskatoon. At the time you lived there, was it the feeling of the people that there should not be any permits issued for medical purposes?—No, it was not the feeling at all.

36391. Who were the active parties then?—The Company. The representatives of the company in the temperance colony were about equally divided as regards the use of liquor.

36392. The only reason that you have for believing that the managers of the company wanted no permits granted for liquor for medicinal purposes was that your application for a permit for such purpose was refused?—It was refused on that ground.

36393. That reason was stated by the Governor or by the authorities?—That was the reason given.

36394. How long ago was it?—That would be about 1885 or 1886.

36395. Do you know that while your application for a permit was refused, permits were granted to other people at Saskatoon?—Yes, I think they were. I got a permit in the spring of 1885 for 10 gallons of alcohol and two gallons of brandy to be used in my practice.

36396. What made the difference in the two cases?—I had a good deal of difficulty in getting the first permit. I needed a lot of drugs, and I needed alcohol and brandy with which to make them.

36397. But it seemed that you could not get any permit afterwards?—That was the last one I got.

36398. Were other permits granted?—I think after a time they were. For two or three years the people there were refused permits, and for other two years they would get them.

36399. Whether for medicinal purposes or not?—I think so. The managers of the Company then brought the matter up again, and permits were again refused.

36400. They were refused then, I suppose, for any purposes?—Yes, I believe so.

*By Judge McDonald :*

36401. Do you hold any official position in Regina connected with any public body?—I am a member of the Town Council.

36402. How many members are in the Council?—Six, besides the Mayor.

JOHN H. C. WILLOUGHBY.



RICHARD HENRY WILLIAMS, Mayor of Regina, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

36403. We understand you are Mayor of this city ?—Yes.

36403a. What business or occupation do you follow ?—I am a merchant.

36404. How long have you resided in the North-west Territories ?—Ten years last August.

36405. Have you resided all that time in Regina ?—Yes.

36405a. Did you come here from one of the other provinces ?—I resided about 18 months in Winnipeg.

36406. Before that did you come from one of the other provinces ?—Yes, I came from Ontario.

36407. From what county ?—From the County of Simcoe.

36408. What is the population of Regina ?—I think in the neighbourhood of 3,000.

36409. You have a Town Corporation, Mayor and Council, I suppose ?—Yes.

36410. Do you find this to be an orderly and law-abiding place ?—Yes, very fairly so.

36411. Does it compare favourably with other places in which you have lived ?—Yes.

36412. Have you had any experience under the permit system and the license system which has just come into operation on the 1st May last ?—Yes.

36413. As Mayor, have you had any practical experience in connection with the liquor traffic in the course of your official duties? Do you preside at the Police Court ?—Yes.

36414. You have not a Police Magistrate for the town ?—No.

36415. So you are ex-officio Police Magistrate ?—Yes.

36416. Taking the state of things before 1st May and since, have you noticed any difference ?—In my term of office before 1st May I did not have any cases before me in connection with the liquor traffic, but since 1st May, I have had nine cases.

36417. What was the character of the cases ?—People charged with drunkenness.

36418. When did your term of office commence ?—This is my second year.

36419. You never had any cases up to that time ?—Not of drunkenness, to my knowledge. There might have been some slight offences dismissed, but I do not remember.

36420. What has been your experience, as a citizen, as regard to drunkenness on the streets ?—In my opinion we have had more of it since the license system came into force.

36421. Which would be your own choice, a license system or a permit system ?—I prefer a permit system, providing it was workable and enforced.

36422. Have you had experience in any other prohibition country than the North-west Territories ?—No.

36423. It has been stated that under the permit system people would meet a few friends in a house and keep up the drinking of liquor until it was all consumed ?—I have heard that stated, but I have not been connected with it in any shape.

36424. Are you a total abstainer ?—Not a total abstainer.

36425. Are you favourable to prohibition ?—I am more favourable to it than to the license system.

36426. If your choice were confined to the two, which one would you prefer—total prohibition ?—Yes.

36427. Do you, from your experience of the prohibitory system here, consider it would be practicable to enforce a prohibitory system ?—I have been so little connected with it that I could scarcely tell you.

36428. What about the prohibitory clauses of the license law ?—It would be very difficult to enforce them according to the letter of the law.

36429. I suppose it would depend very much on the character of the man behind the sale ?—Yes.

36430. How many places in Regina are licensed ?—I think four hotels and two wholesale shops.

36431. Have you any idea of the number of places in which liquor was sold before the license law came into operation?—That is a question that I am not prepared to answer.

36432. Do you believe it was sold illicitly?—Yes, I believe so.

36433. Do you know in how many places it was sold?—No.

36434. Did you find the North-west Mounted Police force faithful in the discharge of their duties?—Yes, I think they performed their duties to the best of their knowledge and ability.

36435. One of the stations of the force is here?—Yes, the headquarters of the force are here.

JACOB W. SMITH, of Regina, hardware merchant, on being duly sworn, deposed as follows:—

*By Judge McDonald:*

36436. Do you hold any official position?—I hold the position of Chairman of the License Commissioners of this district, No. 4.

36437. How long have you held the office?—Since the office was created, on 1st May.

36438. How long have you resided in the North-west Territories?—About ten years.

36439. Have you resided all that time in Regina?—Yes.

36440. Did you come from one of the other provinces?—From Ontario, from the County of Lanark.

36441. Have you had any experience of any other prohibitory law than that of the North-west Territories?—I was in the County of Lambton under the Scott Act.

36442. When was that?—I think the first month the Act came into force. There was some difficulty with respect to the law, and the Act was repealed after that month.

36443. Then you did not have an opportunity of forming an opinion in regard to the law?—It was hardly a fair test, of course.

36444. What has been your experience of the working of the prohibitory law in the North-west Territories?—I think it worked very well up to 1889.

36445. Do you think liquor was kept out of the country?—It certainly was not kept out of the country. There were permits issued, and thus a certain amount was allowed to come into the country.

36446. Were the police force vigilant?—Yes, and their powers were great.

36447. Were these powers maintained as long as the Act remained in force?—Not to so great an extent as in former years.

36448. Do you consider that the force became less vigilant in later years?—I think so.

36449. What is the ground of your opinion?—Permits were issued more freely and it became more difficult to enforce the law.

36450. Did they relax their vigilance?—They did, because so many permits were issued that it was difficult to tell whether parties got drink in by permit or not. It was more difficult for the police to administer the law under those circumstances.

36451. Have you, as Chairman of the License Commissioners, endeavoured honestly to carry out the provisions of the law?—I have, so far as I have been personally able to do so.

36452. So far as you have observed the operation of the license law, how have you found it work?—In what way?

36453. As regards licensees living up to the regulations?—I do not think the regulations of the law has been lived up to; in fact, I know they have not.

36454. Is that from official information, or from your knowledge as a citizen?—Not from my official position, but as a citizen. From my personal observation, and from the amount of drinking I see, I know that the law is not lived up to.

RICHARD HENRY WILLIAMS.

36455. Among what class is drunkenness?—Since 1st May the classes that have seemed to be affected the most are the labouring classes, the common people and the farmers.

36456. Are any of these Half-breeds, or the ordinary white population?—The white population, what we would call respectable people in all other ways.

36457. Were you troubled with illicit sale in Regina before the license law came into force?—Yes, we certainly were, because we could see the effects of it.

36458. Are you favourable to general prohibition?—I am.

36459. On principle?—On principle.

36460. In regard to the license system, are you favourable to it or unfavourable?—I am favourable to it in preference to unlimited sale. I am in favour of any system that will restrict the liquor traffic.

36461. You do not like the license features in prohibition?—No. I think the prohibition part is all right.

36462. Without prohibition you think the license law is inexpedient?—Certainly.

*By Rev. Dr. McLeod :*

36463. What are your duties as Chairman of the License Commissioners?—The duty of the Board is to look into all applications that come before it for licenses, and to decide whether the applicants have complied with the conditions laid down in the Ordinance. We have also to consider the character of the applicants through the report of the Inspectors.

36464. Have you Inspectors for this district?—Yes ; there are three for the different parts of the district into which this part of the country is divided, one for the East, one for the West and one for Regina.

36465. What are the conditions with which an applicant must comply?—One of the conditions is, that the person must obtain the names of the nearest householders. Then there are certain conditions laid down with respect to the house containing so many rooms, and a report has to be made. We depend generally upon the report of the Inspector.

36466. Then the Inspector examines into these matters and makes a report to the Board?—Yes, and the Board decides whether the applicant has complied with the conditions of the Ordinance, and if the man be considered a worthy man and if his place is fit to be licensed, then he is granted a license. Where the conditions have not been complied with, the applicant is refused a license.

36467. Do you have to choose between a number of licensees in Regina?—Not in Regina. There are no rivals in Regina.

36468. In the outside country, do you have a large number of applications?—Yes ; there were four or five applications refused.

36469. Were they refused because they had not complied with the conditions of the ordinance?—Yes, probably for that reason, and because they had not honestly secured the proper number of names.

36470. Then has it come to the knowledge of the Board that those parties whose licenses were refused were selling illicitly?—No, it has not come to my knowledge.

36471. You say the Inspector's duties are to supervise generally a district?—Yes, although I think the law should be amended so far as the Inspectors are concerned.

36472. Are the Inspectors salaried men?—No ; they are paid by fees. I do not think there is sufficient encouragement under the Ordinance for them to do their duty.

36473. Is there a Chief Inspector for a district and sub-inspectors?—There is a Chief Inspector ; he occupies the dual position of Inspector and Commissioner, his name is J. C. Pope ; he is called Chief License Inspector.

36474. Is he a town official?—No, he is under the North-west Government.

*By Judge McDonald :*

36475. I think you said that all the provisions of the law were lived up to by the licensees. Before they were granted licenses were their applications investigated?—So far as we could find out.

36476. If they are not proper people to receive licenses, you refuse them?—Yes. We have discretion in our hands, and when we think a person is not fit, we refuse him license.

36477. You did not exercise those powers, I believe?—No, because there was a division on the Board.

36478. Were the majority in favour of exercising those powers?—I believe part of the Board took the ground that they had a right to issue licenses to any one paying for licenses.

36479. How many members are there?—Three, one from Qu'Appelle, one from Moose Jaw and myself from Regina. The district is from Indian Head to Moose Jaw, about 90 miles.

REV. JOHN H. KING, of Regina, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

36480. With what church are you connected?—I am a minister of the Baptist Church.

36481. How long have you resided in Regina?—One year and three months.

36482. Where did you reside before that time?—In St. John, N.B.

*By Rev. Dr. McLeod :*

36483. What has been your experience of the liquor traffic in the North-west Territories during the one year you have been here, during the early part of which there was a permit system in force and during the latter part of which, since 1st of May last, there has been a license system?—I observe that there is as much drinking and disorder under license as under prohibition.

36484. You think in Regina there has been more disorder and drinking since the license law came into force?—I think so.

36485. Did you observe the working of the so-called prohibitory law sufficiently to detect the faults of that system, if there were any? What, in your opinion, was the weak point of the system?—The indiscriminate granting of permits.

36486. Have you reason to believe permits were granted quite indiscriminately?—Yes.

36487. What would lead you to entertain that opinion?—The continuous sale over the bars.

36488. Was there continuous sale in Regina prior to the license system?—I believe so.

36489. You came here after the introduction of the four per cent beer plan, I believe?—I think so.

36490. And there was sale?—There seems to have been no provision for sales in the early part of the permit days. Permits were given for medical purposes, or were supposed to be so given; but under the four per cent system, which came in about 1889, it seems there was provision for selling four per cent beer.

36491. You observed there was sale in Regina?—Yes.

36492. We heard this morning that there was something of disorder last night in the town. Was that kind of thing common prior to license?—I was here at the latter end of the prohibition days, and I never heard of such things or observed them.

36493. Do you travel about the country here?—Quite a little, within a radius of 30 miles, in good weather.

36494. And you come in contact with a good many people?—Yes, with a number of farmers.

36495. Have you had any opportunity of observing what is the feeling of the people generally as to the drink trade, whether they think it should be licensed or not?—I think the people hold that the traffic should be prohibited, if it could be done.

JACOB W. SMITH.



36496. Have you found that there was considerable dissatisfaction with the permit system as it was administered?—There was.

36497. Do you think the feeling of the people was in opposition to permits being given, or to prohibition?—They had an objection to permits being given.

36498. If it was a question of prohibition *versus* license, what would be the result?—I have good reason to believe there would be a majority in favour of prohibition.

36499. Do you think in the country places where you visit there is a desire for the establishment of liquor selling places?—I do not.

36500. I need scarcely ask you if you are in sympathy with the views expressed by your body, and whether you believe in general prohibition or not?—I do.

36501. Do you think it would be safe to enact a general prohibitory law and take the chance of its enforcement?—I think so, if the voice of the people is to that effect, as the Government has a right to obey the wishes of the people.

*By Judge McDonald :*

36502. What is your view of the license system?—My view is that it is not expedient. It may be a good thing so far as it restricts the traffic.

36503. Then you are not opposed on principle to the licensing of the traffic?—No.

36504. You have stated that permits were granted indiscriminately. What reason have you for saying so?—The statements of individuals.

36505. Which you have heard repeated, I suppose?—Yes.

36506. You have spoken of the sale of liquor illicitly over bars. Did you mean other than four per cent beer?—I could not say.

36507. You do not know whether any drunkenness was caused by four per cent beer or not?—No.

36508. So you do not know whether the permits had to do with the increased drunkenness?—I am not sure.

36509. You know nothing of that?—No.

36510. You have stated that you believe the sentiment of the people is in favour of prohibition and against license. Taking your residence here for one year, your knowledge of the Territories and your experience in Regina and 20 miles beyond, whom do you think really possesses the better knowledge of the feeling of the people, the officers of the North-west Mounted Police or yourself?—That would depend on what opportunities they possessed to study the feeling of the people.

36511. Judging from the experience of the prohibitory system so far as it prevailed, who would possess the better knowledge of the practicability of enforcing a general prohibitory law, you or the officers of the Mounted Police?—I suppose they would, if they were faithful to their duties.

36512. Have you reason to believe that they were not faithful in the discharge of their duties?—The reason that is commonly given is, that in some cases they were not faithful to their duties.

36513. Can you specify the locality and name the place and party. I mean the locality where they were not faithful to their duties, and the names of the persons who made that statement?—I could not do it. I could refer to instances in the town, but I could not give names; I mean instances which came under my own personal observation.

36514. Did you call their attention to those cases?—I did.

36515. What did they say?—They did not say anything. It was not an official notice, but a notice in private and in the papers.

36516. You did not give notice through an officer, then?—Yes.

36517. Do you mean by speaking among friends?—Yes, and in my public capacity.

36518. Do you mean from the pulpit?—Yes, before and after.

36519. Do you hold any official position in the temperance order?—No, I am only a member of it.

36520. Did you ever call the attention of the Lieutenant-Governor or of any of his officers to those alleged infractions?—No; for I had good reason to believe they would not be attended to.

36521. You did not do it, as a matter of fact?—No.

36522. You did not test whether your complaint would be attended to or not?—  
No.

36523. Did you call the attention of the Commissioner of the Mounted Police to that matter?—I did not.

36524. Have you had any experience of prohibition in any other place than here?—To a limited extent in New Brunswick.

36525. In what part?—Especially in St. John County.

36526. Had you any experience in Portland?—Yes.

36527. How was prohibition enforced there?—The Scott Act was enforced to a limited extent; but owing to the approaching union of the two cities, St. John and Portland, almost every one was against it.

36528. Do you think it worked well to a limited extent?—Yes.

36529. Did the officials see it enforced there?—They did latterly.

36530. And in the end it was repealed?—Yes, in that part of St. John.

36531. Have you had any other experience of prohibition except in New Brunswick and in the North-west Territories?—That is all.

*By Rev. Dr. McLeod :*

36532. Do you know whether any local questions or difficulties interfered with the better enforcement of the Act in Portland?—Yes. The Council were pressed to appoint an Inspector, which they did not do, and there was nobody to enforce the law.

36533. Did you observe the working of the Scott Act in St. Martin's, in the County of St. John?—I did.

36534. How did it work there?—It worked well, with the exception of the last six months, and even then convictions were obtained when prosecutions were instituted.

36535. Speaking of the license system, do you approve of the license or the prohibition in the system?—The prohibition in the system.

36536. Do you approve of license only so far as it embodies prohibition, or do you approve of permission, which permits people to sell?—Only so far as the system is prohibitory.

36537. Have you any knowledge which will enable you to express an opinion as to whether the Legislature of the Territories expressed the deliberately declared will of the people by the enactment of a license law?—I have knowledge which leads me to believe that they did not; in my opinion, it was a breach of trust; that is the action of the Legislature in enacting a license law independent to a large extent of the voice of the people.

*By Judge McDonald :*

36538. You gave that last answer, the expression of your opinion that the Legislature had been guilty of breach of trust, from what you have heard individuals say?—Yes.

36539. Has that opinion been expressed at a public gathering of the people called for the purpose of considering that proposition? Has any member of the Legislature been called upon to resign his seat for having voted in favour of license?—Not that I know of.

36540. Do you know instances in which the people have taken the necessary steps to prevent licenses being issued by calling for a vote of the people on the subject, as provided for in the Ordinance?—Not that I know of, as yet.

36541. And under the law provision was made at the very outset to enable the people to do so?—I was labouring under the impression that a certain length of time had to elapse before action could be taken.

36542. Provision was made that this action could be taken by the people at the outset. But it has been stated that the reason why it was not done was the fact that the people were required to deposit \$200 before the vote could be taken, and that was the difficulty?—Yes, that was found to be a difficulty. At the last session of the Legislature there was an amendment made to the law, and \$100 was inserted instead of \$200.

REV. JOHN H. KING.

36543. You spoke of St. Martin's, and mentioned that during the last six months the law was not satisfactorily carried out. In what way was it not satisfactorily enforced?—The fact was that the officers were the wrong persons, in the estimation of the people.

36544. Do you mean they were not in sympathy with the enforcement of the law?—Yes, and there were proofs of that.

36545. By whom were the officials appointed?—I do not know.

36546. Were they appointed by the Municipal Council?—I think so.

36547. The Municipal Council represented the people; they were elected by the people, were they not?—I think so.

36548. How, then, does it occur that such officers were appointed in the community where the people wished to have the law enforced? Perhaps they obtained office by corrupt means; they sometimes did so.

36549. If the majority of the people were in favour of the Scott Act and its enforcement, and yet selected officers who were not in favour of the Act, what was the cause?—I think this matter was lost sight of at the time of the elections.

36550. You think it must have been lost sight of?—Yes, and other issues must have come up.

36551. What led to such men being in favour with the temperance people of the community and securing election?—I do not know.

*By Rev. Dr. McLeod :*

36552. Are you aware that the Scott Act has been repealed in the County of St. John since you left there?—I am not aware of it.

36553. Concerning public feeling about the license system, do you know whether any portion of the people of the Territories petitioned the Legislature for a plebiscite on the question of prohibition?—Not to my knowledge. Since I have been in this town, I have known of petitions being signed and presented to different Members; in some cases they were presented and in others were not presented.

36554. Referring to the issue of licenses at certain places, it appears that no portion of the Territories has taken steps to prevent the issue of licenses. I think you said that you had arrived at the conclusion that this was because they could not act at that time?—I had that impression. The wording of section 48, subsection 2, makes provision for that, and after stating about the \$200 it goes on to say that when a requisition is presented "requesting a vote to be taken as to whether or not such license shall issue or be granted therein, it shall be the duty of such Commissioner, upon the receipt of such requisition and the said sum of two hundred dollars, to scrutinize the names of the electors attached to such requisition, and being satisfied that the names so attached are those of duly qualified electors," a poll shall be taken. Then there is provision made for taking the poll, after posting a regular notice in one of the papers for six weeks. The clause continues: "Such poll shall be held in the month of October or November next ensuing, except for the year 1892, when the poll shall be held in the month of March, on such day as shall be most convenient, and not less than four weeks and not more than seven weeks from the date of the first publication of such notice."

*By Judge McDonald :*

36555. When did you acquire that knowledge?—About the time of the agitation.

36556. Did you look into the matter?—Yes.

36557. Did you find it impracticable?—Yes.

36558. You say it would be impracticable to carry out that part of the law?—Yes.

*By Rev. Dr. McLeod :*

36559. You believe it impracticable?—Yes.

36560. Do you mean to say that you believe it to be impracticable under the circumstances?—Under the circumstances as they were—not that it is impossible.



JAMES CREAMER, of Regina, veterinary surgeon, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

36561. How long have you lived in Regina?—About six years.

36562. Where did you reside before that?—In Ontario.

36563. In what part?—I came from the County of Middlesex.

36564. What law was in force there in regard to the liquor traffic?—A license law.

36565. Did the Scott Act come into force before you left Ontario?—No.

36566. Have you had much experience of a prohibitory law anywhere else than in the North-west Territories?—No.

36567. Since 1st May a license law has been in force, I believe?—Yes.

36568. Taking the prohibitory enactment as it was enforced, and the license law since 1st of May, which do you find to be preferable?—The license law.

36569. Did you find that liquor was brought into the country under the old system?—Yes.

36570. We understand that a great deal of liquor was smuggled into the country?—It was.

36571. It has also been stated that some of the liquor was of very poor quality?—Yes.

36572. And that pain-killer, eau de Cologne and other substances of that kind were used by the people for beverage purposes. Have you any knowledge of that?—Yes. I have known red ink to be used.

36573. You say you have known of red ink being used?—Yes.

36574. Who were the people who used those liquids?—I could not say particularly, the people who lived in the North-west Territories.

36575. Was that practice confined to any particular set of people?—No; I would not apply it to any particular set.

36576. It has been represented that those compounds were only used by old toppers?—Yes, to a certain extent.

36577. Were they used by others as well?—Pain-killer, I think, was.

36578. What about the case of red ink?—That was used by confirmed toppers.

36579. Do you know any other substances that were used? We have heard of St. Jacobs's Oil being used.—I have heard so, but I never saw it used.

36580. We have been told that Florida water was used?—Yes.

36581. Have you reason to believe that the North-west Mounted Police endeavoured to carry out the law?—Yes, I think so.

36582. Were they vigilant?—I think so.

36583. You have no reason to doubt their faithfulness, and that they did their very best to carry out the law so far as it could be carried out?—Not at all.

36584. From the experience you have had, do you think it would be practicable to carry out a prohibitory law for this country?—I do not.

*By Rev. Dr. McLeod :*

36585. Why do you think license is preferable to prohibition?—Because I think the majority of the people will have liquor any way; if they cannot get it legally, they will get it some way.

36586. Do you think it is well to have it provided for them?—Yes.

36587. Do you think the liquor trade is at all injurious to the people?—No, I do not, not the licensed liquor traffic.

36588. Do you think the unlicensed liquor traffic is injurious?—Yes.

36589. Why is the traffic injurious when unlicensed and when licensed it is not?—Because men do not drink with any regularity.

36590. Does the difference between benefit and injury consist in the difference between regularity and irregularity?—To a very great extent, I think.

36591. You spoke of the use of red ink and pain-killer. What did their use and the use of other such articles signify?—I do not understand your question. \_\_\_\_\_

JAMES CREAMER.



36592. What did their use signify on the part of the people who used them?—That they wanted a mild stimulant.

36593. Is red ink a mild stimulant?—I could not tell you, I never drank it.

36594. Are red ink and pain-killer milder forms of stimulants than whisky and four per cent beer and the like?—No, I think not.

36595. Do you not think that they are rather stronger?—They would be with me.

36596. Then the question again comes, what does their use signify beyond the fact that the people want stimulants? Did it signify that they had contracted the habit of drinking stimulants, and, in the absence of whisky would have something whether it was pure alcohol or not?—I suppose it did.

36597. Did you ever know persons to form the habit of drinking stimulants through using pain-killer, Thomas's electric oil, castor oil, red ink, and the like?—I cannot say I did.

36598. Did you observe that those persons who had become habituated to the use of whisky, in the absence of whisky, resorted to such drinks?—They were not in the majority.

36599. Do you think they were in the minority?—Yes.

36600. Do you think that if most people could get liquor they would not resort to pain-killer?—I think so.

36601. So was it in the interest of the people that the drink trade was established?—Yes; but you put it in a queer way. I do not think men as a rule would resort to red ink if they could not get liquor; I do not think the majority would do so. I rather think they would resort to some means to get liquor, and I think they would get it.

36602. Would they smuggle it in?—Yes.

36603. You do not believe in the principle of prohibition?—No.

36604. Then, if it were practicable, you would not believe in prohibition?—No, I do not believe in it.

36605. Do you think the drink trade is in any way injurious to the welfare of the community physically, morally or socially?—No.

36606. Have you seen any evil effects from the trade?—The evil results you would find would be very few.

*By Judge McDonald:*

36607. Would you say that those evils which you have seen resulted from the drink trade or the drinking habits on the part of the people who purchase liquor?—They were due to drunken habits.

36608. Take the community as a whole, would you say the proportion of those who drink to excess would form a large proportion of the people or a small proportion?—A small one.

36609. As I understood your answer to Dr. McLeod, you said that under the old system the majority who wished to drink got liquor in one way or another, either by permit or by smuggling?—Yes.

36610. But that the use of red ink was confined to the minority. Suppose a prohibitory law were passed, a law to do away with the manufacture, importation and sale of alcoholic liquors for beverage purposes, do you think it would be right that the brewers and distillers should receive remuneration for their loss of plant?—That is a question I have never given thought to, and I cannot give an intelligent answer in regard to it.

*By Rev. Dr. McLeod:*

36611. Do you see any relation between the drink trade and the drink habit?—I suppose there is.

36612. Do you think the establishment of facilities to drink promotes drinking?—I cannot say from my experience here that it does, but from experiences elsewhere, I think it tends to do so.

36613. Do you think prohibition increases it?—Yes.

36614. And licensing the trade diminishes it?—Yes.

ALFRED D. WRIGHT, of Regina, License Inspector, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

36615. What is your business ?—I am an undertaker.

36616. Do you hold any official position ?—I do.

36617. What is it ?—I am License Inspector.

36618. How long have you resided in Regina ?—About 15 months.

36619. Where did you reside before that time ?—At Richmond Hill, near Toronto.

36620. How long have you been Inspector of Licenses here ?—Since the license system came into force. I was appointed some time before then, as I had to examine the premises of applicants.

36621. Then you have been in office since the new law came into force, and you were appointed at that time ?—Yes.

36622. There are certain duties you are called upon to perform under the Act, such as inspecting the premises, etc. ?—Yes.

36623. Have you endeavoured to carry out the provisions of the law ?—I have.

36624. Do you believe you have done so with success ?—I have tried to successfully perform my duties.

36625. Have you found any difficulties in the way ?—I have.

36626. What are they ?—One is that I have to see a man violate the law or get information from some one who saw the law violated. I did not find parties who would take the oath that they saw the law violated, and so I was unable to prosecute. In one case I was not allowed to proceed, because we had not sufficient proof to prosecute the party concerned. I spoke to the Chief Inspector, Mr. J. C. Pope, in regard to the matter.

36627. But he thought you must have more proof on which to prosecute ?—Yes, he said it was not a sure case to go ahead with.

36628. So you did not go on with the case ?—I did not.

36629. Taking the systems as you have seen them, the permit and the license system, which, in your opinion, is preferable ?—At the time I was here the permit system was not enforced very strictly, yet I would prefer it to the one we have now.

36630. Are you a prohibitionist in principle ?—Yes.

36631. What is your opinion of a license system, I do not mean the license law that may be in force in any community, but the licensing of the traffic ; do you regard it as a right or wrong system ?—I think it is not right.

36632. You believe it is wrong in principle to license the traffic ?—I do. I believe in limiting the number of houses selling.

36633. But as a matter of principle, you think the license system wrong ?—Yes.

36634. Then if you cannot get prohibition, you think it would be better to have a license system ?—Yes, the protective part of the license system.

36635. You say that you believe the licensing of the traffic is wrong in principle. Then you say that if you could not get prohibition you think the license system is the next best thing. Now, would you prefer the license system or untrammelled sale and no law at all ?—I think I would sooner have the license system.

36636. Then you think it better to have a license system than untrammelled sale ?—Yes.

36637. And that is owing to the prohibitive clauses in the license law ?—Yes.

36638. In case of the enactment of a general prohibitory law, would you favour the granting of compensation to brewers and distillers for their loss of plant ?—I would not.

36639. Under the permit system, had you reason to believe that people were selling illicitly ?—I do not know, but I suppose they were.

36640. You are a total abstainer, I suppose ?—Yes.

36641. You have not partaken of liquor at those licensed places ?—I never tasted it.

ALFRED D. WRIGHT.

*By Rev. Dr. McLeod:*

36642. Your duties require you to make inspection to see that the provisions of the law, so far as applicants for licenses are concerned, are fulfilled. Do you have to keep on the watch to see that the law is not violated?—I have.

36643. Do you receive any salary?—A small one.

36644. Are your duties confined to Regina?—To Regina district.

36645. That covers a large territory, I suppose?—It does.

36646. Do you have to visit outlying places at certain times?—No. At least I do not, unless an information comes in to me.

36647. Is your salary sufficient to warrant you in going to visit outlying places?—We are paid so much for each hotel licensee we catch violating the law. We are also paid according to the number of licenses granted; we now receive \$25 for each hotel or wholesale license granted.

36648. In case you obtain convictions against any person for violation of the law do you receive any part of the fine?—I cannot tell you whether I would receive \$5 or not in the shape of expenses. If I had to leave town, I suppose I would be paid.

36649. I understand you lived in Ontario before you came here?—Yes.

36650. As the question of compounds has been frequently referred to, I might ask you whether you know anything about their use in the towns of Ontario?—I do. I remember Patterson's Foundry, one and a half miles from Richmond Hill. There was a man who had "pain-killer" in the foundry. The men would take a drink of pain-killer from the bottle, and then a cup of water.

36651. Have you any knowledge whether pain-killer was used in the Territories before the license system was introduced?—Not except from what I heard.

36652. Do you think pain-killer is a worse compound to use under license than under prohibition?—No.

REV. ANGUS J. MCLEOD, of Regina, on being duly sworn, deposed as follows:—

*By Judge McDonald:*

36653. In what work are you engaged?—I am engaged in the Indian Educational work.

36654. At what institution?—At the Regina Indian School.

36655. Of what church are you a minister?—Of the Presbyterian Church.

36656. Is that school under the control of the church?—It is controlled entirely by the Government, which has placed the school under the Presbyterian Church. The church has something to do with the appointment of officers. The system prevails in the North-west of the religious bodies being connected with the institutions more or less.

36657. How long have you resided here?—Since the opening of the school, a little over a year and a half.

36658. Did you come here from one of the other provinces?—I came from Medicine Hat.

36659. How long were you there?—One year.

36660. Where were you previously?—At Banff, where I had been two years.

36661. Where were you previous to that time?—I was formerly in Toronto.

36662. So you are of the Province of Ontario?—I am.

36663. What years were you at Banff?—1888 and 1889.

36664. Were you there as a resident minister?—I was.

36665. What was the state of things there in regard to the liquor traffic?—There was considerable agitation about the traffic.

36666. Was the permit system in force?—Yes.

36667. Were there any hotels there at that time?—There was. There was a Sanitarium there.

36668. Was there sale at those places?—I could not say that there was, but there was supposed to be.

36669. Were there any complaints made of liquor being smuggled in from British Columbia?—There were.

36670. How far were you from the British Columbia boundary?—About 60 miles.

36671. Did you ever hear anything of compounds, such as pain-killer, eau de Cologne and Florida water being used in that section of the North-west Territory?—I heard references to their use.

36672. You saw nothing of such use yourself?—Nothing.

36673. How did you find things at Medicine Hat?—I found things about the same as in the mountains.

36674. I suppose no liquor is allowed at the Indian School?—No.

36675. It is kept strictly away from the pupils?—Yes.

36676. What are the ages of your pupils?—From four or five years up to eighteen years.

36677. Do you find any attempts made to smuggle in liquor there?—No, not by the children. We remember that it is dangerous to give them liquor because they have an appetite for it.

36678. The only way is to keep it entirely away from them?—Yes.

36679. Have you found any effort made to bring it in by the inmates?—No, the boys are too young to work for that, although one boy acknowledged that he liked liquor and would drink it if he had the chance.

36680. Has it been brought in at all?—There were Indians who came in under the influence of it; in the course of the year I have only seen two such instances.

36681. Are you yourself favourable to prohibition?—I am.

36682. As a matter of principle?—Yes.

36683. What is your view in regard to licensing the traffic: do you consider it right or wrong in principle?—I think it is wrong.

36684. In case of the enactment of a general prohibitory law, would you deem it right and just that brewers and distillers should receive remuneration for plant and machinery rendered useless?—I think not.

*By Rev. Dr. McLeod:*

36685. Which is the better for the Indians, prohibition even attended by a permit system, or the license system?—I think prohibition.

36686. Which do you think is preferable to the white settlers, prohibition with the laxity of the permit system, or a license system as it now exists?—I think the former system, with all its faults, was better.

*By Judge McDonald:*

36687. What has been your experience?—I had occasion to travel a good deal in the mountains in British Columbia and I have seen, notwithstanding the vigilance of the Mounted Police, a good deal of liquor smuggled into the Territories.

36688. Within the limits of the North-west Territories?—Yes.

36689. Was it your opinion that the police were vigilant?—Some were extremely vigilant.



ENOCH COLPITTS, of Moose Jaw, gardener, on being duly sworn, deposed as follows:—

*By Judge McDonald:*

36690. How long have you resided at Moose Jaw?—Nearly 10 years.

36691. Have you resided anywhere else in the Territories?—No; I resided in Winnipeg one year.

36692. Did you come from one of the other provinces?—I came from King's, New Brunswick.

*By Rev. Dr. McLeod:*

36693. I suppose any one who has resided here 10 years may be called an old resident?—Yes; Moose Jaw was young when I came here.

36694. How many people were there when you went?—The population at that time was generally a floating population. I suppose there were about 600 people when I landed there in 1883.

36695. Was it during the construction of the railway?—Yes, during that summer there were at different times over 1,000 men, but they were moving all the time.

36696. Has Moose Jaw steadily increased in population?—Not steadily; it has done so during the last few years.

36697. What is about the population now?—1,000.

36698. It is a farming community, I suppose?—It is the centre of a farming and stock-raising district and a railway terminus. There are railway shops.

36699. Do a number of railway employees reside there?—Yes.

36700. During 10 years' residence here you have had opportunity to carefully observe the systems in force in regard to the liquor traffic?—Yes.

36701. What is your observation of the permit system?—During the first years of my residence in Moose Jaw the permit system was almost entirely prohibitory.

36702. That was the time when there were a great many men employed on railway construction?—Yes, and drunkenness was a rare occurrence. I have passed a whole year in Moose Jaw without seeing a single drunken man on the streets, and my business has called me a good deal of the time on the streets.

36703. When did that condition of things change?—The most noticeable change was after the introduction of the four per cent beer.

36704. When sale commenced?—Yes, everything was four per cent beer.

36705. Had you reason to believe that the people sold a little of everything?—Yes, very good reason.

36706. What was the condition of things then as compared with the condition of things in earlier years?—100 per cent worse.

36707. Was there a good deal of drinking?—Yes.

36708. Were the effects of drinking observable to everybody?—Yes.

36709. That went on from 1889 to May 1st of this year, I suppose?—Yes.

36710. How many licenses are issued in Moose Jaw?—Two hotel and one wholesale.

36711. What is the condition of things under license?—Just the same as everywhere else under license—as bad as it can be.

36712. How about the four per cent arrangement?—So far as my observation goes as regards seeing men under the influence of liquor, there is a difference in the appearance of the streets and there is more drinking.

36713. From your observation you think the licensing of the trade has not diminished the amount of drinking?—No, it has increased it. I know it.

36714. Have you observed that the license system is a greater danger to the young people of the community than was the old permit system?—It certainly is.

36715. Taking the three systems side by side, the permit system, the four per cent beer plan and the license system, which do you prefer?—The permit system of the early days.

36716. Are you a believer in prohibition?—Yes.

36717. You believe prohibition for the whole country is desirable?—I do.

36718. Do you think, after a residence of 10 years here, it could be practically enforced here?—It would be in the Moose Jaw district, so far as my knowledge goes; I cannot say anything else.

36719. How large a district is that?—It covers a tract on the Canadian Pacific Railway about 20 miles and south to Willow Brook, a distance of about 60 miles.

36720. You are sure that in that district prohibition would be practicable?—Yes, I feel so from the experience of the early days under the permit system. I know it was practically carried out then, and the temperance sentiment has not diminished in the district since that time.

36721. In the election of members for the Legislature, was the question of license really an issue before the people?—It was not before the candidates declared themselves in favour of license. They staved that question off, as it was a difficult issue. The election was run independent of license as an issue.

36722. What was the issue?—The contest was between one man and another.

*By Judge McDonald :*

39723. You think the sentiment in your district is favourable to prohibition?—I do.

36724. How do you account for this fact, that the only issue was between man and man, that the greater portion of the candidates to the Legislature favoured license and were not, in accord with your statement, with the prevailing sentiment of the community? You say it was a man and man contest, yet generally both candidates were in favour of license. How do you account for the fact that no temperance man appeared in the contest?—It was just on this ground: Mr. Ross was our former member. He declared himself in favour of license. Mr. Gordon then came out, and when the question came up declared himself in favour of license. They were both supposed to be very strong men and had a great many personal friends. The temperance people thought of starting a man; but on considering the matter they came to the conclusion that on account of the personal esteem in which the two men were held, one or the other of them would be elected.

36725. Supposing a temperance candidate had come out, would not the temperance sentiment have been strong enough to elect him, or would the temperance men, owing to personal preference for one of the other men, have supported one of the original candidates?—I believe they would have done so.

36726. You have expressed your opinion that in your district you would be able to enforce a prohibition system. Was the prohibition system thoroughly enforced in the early days; was no liquor smuggled in?—There was probably liquor smuggled in. I have no reason to think there was, but it was a very small quantity, and it was brought in by the class of people who never appeared in public.

36727. Then you think when the four per cent beer came in, liquor was sold under cover of it?—Yes.

36728. Do you believe the people obtained all the liquor they wished under the four per cent system?—No.

36729. Do you think some were refused?—After the system came into force I never knew any one in Moose Jaw who was refused a permit.

36730. Have you known anything of pain-killer and other compounds of like nature being used as alcoholic drinks?—No, I have never known of such liquors being used. I heard such reports in the early days, but I never saw any used.

36731. You are a total abstainer?—Yes.

36732. And a prohibitionist on principle?—Yes.

36733. Do you think the traffic itself is wrong?—I do.

36734. In case of the enactment of a general prohibitory law, would you favour the granting of compensation to brewers and distillers for loss of plant?—Yes, up to a certain extent. Britain bought liberty for the slaves. It has been said that it was lawful to engage in this business, and it seems to me it would be right if those men who are engaged in it were deprived of the means of living, that they should be remunerated.

ENOCH COLPITS.

36735. You have given the whole subject of prohibition some thought, I suppose?—I have, so far as I am able to do so.

36736. And you consider it would be practicable to enforce such a law in the Moose Jaw district?—Of course there would be infractions of the law, but there are infractions of the present law.

36737. Would you have the enforcement of the law entrusted to the municipal authorities?—No.

36738. Whom would you entrust with the enforcement of the law?—Officers specially appointed by the Government to do so.

36739. How many would you require for the Moose Jaw district?—If the Moose Jaw district was the only place where liquor would be handled, very little force would be required.

36740. Is it a station for the North-west Mounted Police?—There is only one officer there.

36741. He patrols the place thoroughly, I suppose?—Occasionally.

36742. How is it to the south of you?—Going south of Moose Jaw the white settlement does not extend very far, but there is a large settlement of Half-breeds at Willow Brook. There is a police station at Wood Mountain, 29 miles from the settlement.

36743. You think Moose Jaw itself would need a very small force?—I do.

36744. In case of smuggling in the rural districts and the establishment of illicit stills, how would you propose to meet those difficulties?—It would have to be done by the force and by the Inspector.

36745. Would the force not have to be a mounted one?—Yes.

36746. And with a sufficient force you think it could be done?—I do.

36747. You think smuggling would be prevented?—Yes. In the winter of 1884 there was a still started in the district of Buffalo Lake, but it was soon broken up.

36748. By whom?—By the Mounted Police. They did not capture the parties, but they chased them so closely that they must have been glad to get away, and there has never been an attempt made since to manufacture illicitly. My reason for believing that the police force can effectually do this work is that under different policemen we had different results. Men who were vigilant and endeavoured to perform their duties diminished the effects of liquor, while others did not succeed. I know of one man who made it a boast that he could buy up some of the police men with a drink of whisky.

36749. Do you believe he stated what was true?—Judging from the manner he talked of the matter, I had no reason to doubt it.

36750. So an additional necessity for the prohibitory law would be not only a sufficient force of officers but men of the right sort, who would do their duty faithfully and without fear?—Yes, that is all that is required to carry out a prohibitory law in my district.

36751. Successfully?—Yes.

*By Rev. Dr. McLeod:*

36752. About the election. Was the understanding when the members were elected that a license law was to be enacted at the next session of the Legislature without reference to the will of the people?—It was understood at that time that the License Act would be one of the questions dealt with, and our member, Mr. Ross, expressed himself as being favourable to a plebiscite on the question.

36753. Did the question of a plebiscite come up in the Legislature?—I think it did, but it had a very weak following and did not amount to anything.

36754. Have you knowledge which leads you to believe that there are violations of the law at Moose Jaw by the licensees?—I think so. While I have reason to believe that the wholesale dealer does not violate the law in any respect, the other dealers, I think, violate it repeatedly, by selling after hours and on the Sabbath, and by selling to minors and to men to whom they have no right to sell on account of their drunken habits.

*By Judge McDonald:*

36755. Have you taken any steps to call the attention of the officers to the fact? The Government Inspector has been notified, and has expressed himself as being anxious to secure punishment for any infractions of the law.

36756. You have reason to believe that those dealers sell to minors?—Yes.

36757. Have you furnished the names of minors to the officers?—Yes. There was one case of a boy who was employed by a party who wished to procure liquor. The boy obtained liquor. He was willing to testify, and the Inspector took the matter to Mr. J. C. Pope, and he claimed that under the provisions of the law a conviction could not be procured as he was only acting as agent in procuring liquor and not obtaining it for his own use.

36758. Do you know what were the facts?—I think the boy was only acting as agent.

36759. What were the other sales to minors to which you referred?—That is the only one I know of directly.

36760. What case do you know of violation of the law on the Lord's Day?—I have known persons to go there and come back under the influence of liquor.

36761. Have you furnished their names to the Inspector?—No, I have not, because I knew the parties would not give evidence; they were unwilling to give evidence.

36762. Could they not be made to give evidence?—I do not know. We have had cases frequently in Moose Jaw, and we have had to give them up on account of lack of evidence.

36763. Do you think in these cases it is more difficult to secure the facts than in ordinary cases in the court, principally owing to the weak memories of the witnesses?—It appears to be the case.

36764. Does there not appear to be a different sentiment on the part of the witnesses in regard to such cases?—Yes.

*By Rev. Dr. McLeod :*

36765. Is it a different sentiment, or is it the fact that the witness may have been party to the violations, or his friends having been parties he is unwilling to testify?—I suppose that would influence most men, but there appears to be a feeling that a man who gives information in a liquor case is worse than an informer against a man who violates the law in other respects.

36766. What do you think of this matter yourself?—Personally, if there were violations of the law I would inform on the men as soon as I would inform against stealing.

36767. Because in your opinion there is no difference of sentiment?—Not at all.

DAVID H. GILLESPIE, of Regina, livery, feed and stable keeper, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

36768. How long have you resided at Regina?—10 years.

36769. Have you resided anywhere else in the North-west Territories?—I resided for a short time in Brandon.

36770. Did you come from one of the other provinces?—Yes.

36771. From which province?—From the County of Bruce, Ontario.

36772. Have you seen the working of a prohibitory law anywhere else than in the North-west Territories?—No.

36773. Since 1st May last, we understand you have had a license law in operation?—Yes.

36774. Which of the two systems do you prefer?—In my business I prefer the license system.

36775. Why?—There are not so many people the worse of liquor who come into my business.

36776. Do you mean since the license law has been enforced?—Yes.

36777. Do you mean men who hire rigs from you?—Who do business with me.

ENOCH COLPITTS.



36778. Had you any knowledge under the old system of the use of pain-killer and eau de Cologne and such substances as beverages?—I had not, although I have heard statements that such were used. I have seen men take Florida water.

36779. In case of the enactment of a general prohibitory law would you favour the granting of payment to brewers and distillers for their loss of plant and machinery?—That is a matter I never considered.

*By Rev. Dr. McLeod:*

36780. We had it in evidence from a livery-stable keeper in Prince Albert that the large percentage of damages done to rigs was caused by drunkenness. Have you observed anything of that kind?—We get rigs broken in different ways, sometimes by the horse getting away.

36781. Have you observed whether any percentage of those cases are attributable to the drinking habits of men who hire the rigs?—I cannot say. We are very careful, and we generally send a man with the rig.

36782. You have expressed your preference for a license system over the permit system?—Yes, personally.

36783. Have you thought of the question of prohibition, and have you arrived at an opinion as to the enactment of such a law for the whole country?—I have not considered it as a law for the whole country, but only as regards myself personally.

36784. Do you think it would be a good thing for the country if such a law were passed, if it were fairly well enforced?—I suppose either system would be good if rightly handled.

36785. By rightly handled, I suppose you mean enforced?—Yes.

36786. Which do you think would be more rightly handled, the license law or a prohibitory law, taking all interests together—persons and business and home life and everything of that kind?—I could not say, I am sure.

36787. Have you any choice between them?—No, I have not.

*By Judge McDonald:*

36788. Do you consider that complete prohibition—taking your experience—would be practicable in the North-west Territories and that it could be carried out?—It is doubtful.

36789. You know nothing in regard to smuggling?—It has no doubt been carried on. In fact, I have seen it myself, and have seen teams carrying liquor from Montana into this country; at all events, we believed it was liquor they had.

WILLIAM P. EDDY, of Regina, builder and contractor, on being duly sworn, deposed as follows:—

*By Judge McDonald:*

36790. How long have you resided at Regina?—Ten years. I was here in October, 1882. I went to Ontario in 1886 and returned in 1890, and have resided here since.

36791. From what County did you come?—From the County of Durham, Ontario.

36792. What part?—From the village of Newcastle.

36793. Were you there when the Scott Act was in force?—It was in force when I went down.

36794. How did it work?—I was surprised to see the difference from the time I left until the time I went back.

36795. Was it a great success?—I think so.

36796. Do you know whether it was enforced there or not?—No. It has been repealed since.

36797. Were you there when the Act was repealed?—Yes.

36798. How do you account for the repeal of the Act?—Because the majority of the people seemed to think that it did not work; it was on account of its being a local affair.

36799. How do you mean local?—One County would have the Scott Act and the next would have liquor.

36800. What is the adjoining County to Durham?—Ontario.

36801. What law was in force there?—I do not remember.

36802. Was not the Scott Act also in force in Ontario?—I did not mean in regard to one single county, but the people seemed to think that the trouble was because the Act was adopted in different counties and was not for the whole province.

36803. Did they think it did not work efficiently?—They thought it was not a perfect success. I do not say it was a perfect success, but I think it worked well.

36804. Can you understand how the people, feeling a great improvement had taken place, did not support it but desired to go back to license?—No; I was surprised.

36805. Are you a prohibitionist in principle?—Yes, since 1886.

36806. Were you not prohibitionist before that?—No.

36807. Did you vote for the Scott Act?—I was not there when it was passed.

36808. Do you consider the license system to be wrong?—Yes.

36809. Do you consider it to be a sin to license the sale of liquor?—Yes.

36810. Do you favour the passage of a general prohibitory law?—Yes.

36811. You look upon such a law as that to be right in principle?—Yes.

36812. In case of the passing of such a law, would you favour the granting of compensation to brewers and distillers for their loss of plant?—No, I do not think I would.

36813. From your experience, was the prohibitory law well enforced in the North-west Territories?—Yes, comparatively.

36814. What do you mean by comparatively?—There were some infractions under the Scott Act and some smuggling, but I think it was fairly well enforced.

36815. Do you think the Mounted Police did their duty?—I think the majority of them did.

36816. Do you think that if the country had not had the services of the Mounted Police there would have been more smuggling?—I think so.

36817. But a force like the Mounted Police assisted in keeping liquor out of the county?—Yes.

36818. And keeping out illicit stills?—Yes.

36819. Do you know anything of the use of pain-killer and eau de Cologne as beverages?—No, I know nothing about them, except what I have heard.

*By Rev. Dr. McLeod:*

36820. You are a contractor, I believe?—Yes.

36821. You employ men at different times?—Yes.

36822. Have you noticed that since license has come into operation, men have the drink habit more or less than before?—I think they drink a good deal more.

36823. They drink liquors more regularly, I suppose?—Yes. Before they would get a dose and then have no more for some time, but now they are half intoxicated or under the influence of liquor more or less.

36824. Have you noticed in Regina whether the establishment of licensed places is causing more disorder than formerly?—Yes, I have noticed more disorder.

*By Judge McDonald:*

36825. How many men do you employ?—Sometimes I have ten or eight and sometimes not so many.

36826. How many continue in a half intoxicated state?—I do not engage men who drink.

36827. You have just answered that you noticed, with regard to men employed since the license law came into force, that some remained in a half intoxicated condition?—Not my own men.

WILLIAM P. EDDY.

36828. How many workingmen do you know who remain in a half intoxicated condition?—I did not say remained in a half intoxicated condition, but they have liquor on them more or less all the time, and take more glasses at night, and are not so capable of working the next day.

36829. Before, they were in the habit of getting liquor in and having a time of it?—Yes.

36830. And after that they would sober up?—They could get no more.

36831. And when the next liquor came they would go on a spree?—Yes.

36832. Are the men who get liquor occasionally now the same men as those to whom you referred?—Yes.

36833. Can they get liquor more freely than they could then?—Yes. Not only working men but men around town I see more frequently under the influence of liquor.

36834. Did you ever see them before under the influence of liquor?—Yes, but I see them more often now.

36835. Take the classes of people in the community who use liquor, does a larger or smaller proportion use it immoderately?—A smaller proportion.

36836. You say you do not employ men given to intemperance?—No.

36837. Do you make it a condition with men you employ that they shall be total abstainers?—I never say anything about it. I wrote to Ontario for one man and said that I could give him so much a day if he came, but that if he drank any beer, I reserved to myself the right to reduce his wages or to discharge him altogether.

36838. Do you not employ any men except total abstainers?—No, I do not as a rule, unless I want a man for a time or when I have a rush on.

36839. Then you always confine yourself to total abstainers?—No.

36840. You would not employ any man who takes a glass of beer once or twice a day?—I do not know that I would be so particular as that, but I do not want a man who takes liquor occasionally.

JOHN H. KERR, of Regina, hardware merchant, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

36841. How long have you resided in Regina?—About 10 years.

36842. Have you resided anywhere else in the North-west Territories?—No.

36843. Did you come here from one of the other provinces?—I came from the County of Perth, Ontario.

36844. Was a license system in force there?—It was.

36845. You have seen the working of the old law in the North-west Territories, the prohibitory system and also the license law here since 1st May?—Yes.

36846. Which do you consider preferable?—I consider the present law preferable.

36847. Did you find that under the old system liquor was obtained?—Yes.

36848. Was liquor smuggled into the country?—Yes.

36849. Do you know anything about the character of the liquor brought in by smugglers? The liquor smuggled in was generally raw alcohol, which was manufactured into drink after it reached here.

36850. Do you know anything about the use of pain-killer and eau de Cologne and other similar compounds brought in when the permit system was in force?—Yes. I have seen a large sized tin on "beef, iron and wine."

36851. So the compounds that were originally brought in for medicinal purposes were used as beverages when the people could not get liquor?—Yes. Grocers sold a great deal of extracts and other articles that were generally used for cooking, such as vanilla.

36852. Judging from your experience, do you think it would be practicable to enforce a general prohibitory law in these Territories?—I do not think so.

36853. In case of the enactment of such a law, would you favour the granting of compensation to brewers and distillers for plant and machinery rendered useless?—If they invested money under a license system, I certainly would favour compensation.

36854. Have you reason to believe that illicit stills prevailed to any extent in the Territories?—I have no positive knowledge, but I am almost certain they existed.

36855. Do you employ any men?—Just a clerk in the store.

*By Rev. Dr. McLeod:*

36856. Why do you regard license as preferable to prohibition. State your reasons, briefly?—I have seen prohibition, so-called prohibition, but it did not prohibit the traffic.

36857. Was it not permission and not prohibition?—You might call it that.

36858. You regard license as preferable to that system?—Yes.

36859. Why is license preferable to prohibition, well enforced?—I think men should be allowed the liberty of taking wine or anything they wish.

36860. Does the license law provide for the use of wine and liquors in moderation only?—If properly enforced.

36861. That brings up another question. Is the license system properly enforced; is it so in Regina now?—I do not suppose either license or prohibition will ever be strictly enforced. The license system is better carried out here than it was during my experience in the east.

36862. Your experience in the east was that the license law was not strictly enforced?—Yes.

36863. Is it a fact that license is not strictly enforced; and is not that an objection to license?—I think so.

36864. Do you object to prohibition on principle?—Yes.

36865. Do you object to the prohibition in the license law, the provisions prohibiting sale after hours and on the Sabbath?—No, I do not.

36866. Then the prohibition to which you object is general prohibition. You are aware that sale is restricted to certain hours. You do not object to that, I suppose?—No.

36867. You think that is proper?—Yes.

36868. Why is it proper to prohibit sale during certain hours?—If people think they want liquor, there are certain times when they can obtain it. If they kept the hotels open all night, they would certainly be disreputable places.

36869. Is not that restriction an interference with personal liberty? If I want to get a drink after eleven o'clock, and I find every place closed, is it not an interference with individual liberty?—You might provide yourself beforehand.

36870. You object to prohibition then only when it prohibits entirely the trade. You seem to favour some prohibitions. Assume that there are 500 men and all of them are prohibited, except six, from selling liquor here. Do you favour that kind of prohibition?—Yes, I favour a high license system.

36871. Do you think the license system reduces the amount of drinking?—No, I do not think it does.

36872. Do you think any system that reduces the amount of drinking is advantageous, or do you think the amount of drinking should be left to the people who want to drink?—I think so.



GEORGE WILLIAM BROWN, of Regina, law student, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

36873. How long have you resided in Regina?—I have resided in the town of Regina between three and four years, and in Regina district for over 10 years. That is seven years longer in the district than in the town.

36874. Did you come here from one of the other provinces?—I came from Ontario.

36875. From what County?—From Grey.

*By Rev. Dr. McLeod :*

36876. What has been your observation of the permit system in the North-west Territories?—When I came first to this country the system of issuing permits did not seem to be so general as later on, and while we knew all the time that whisky was being smuggled into the country, we saw very little of its effects and very seldom saw a drunken man. As the system of permits became enlarged, more liquor was brought in, and it was more difficult to tell whether the liquor was legal or illegal, and a lot was smuggled in under old permits that had been exhausted.

36877. Did the permit system continue to extend in regard to the number of permits?—I have no official ground for my statement, but it was generally understood when I first came here, which was about the beginning of Governor Dewdney's administration, (under Governor Laird there were very few permits issued) that the number was increasing. There seemed to be more liquor brought into the country, at all events. With the advent of Governor Royal's administration there was the commencement of four per cent beer being brought in, and we saw still more permits issued.

36878. When the four per cent beer plan was introduced, was liquor freely sold?—Yes.

36879. Did you observe whether, under cover of four per cent beer, everything in the shape of liquor was sold?—It was very difficult to restrict the sale, and they had this guise under which liquor could be sold.

36880. Following the four per cent beer plan came the new law of this year. Have you observed how that works, and what have been the effects?—I suppose that under the old permits there was a certain class of men who got liquor if they wanted it, but my impression is that there is a new class drinking freely who before could not get it. They could not get it before because they could not get permits, and they complained of it; while there is a class who do not drink any more now than they did before.

36881. From your observation in Regina do you think drinking has increased and disorders have become more numerous, and that the effects of drinking have become more apparent?—In the early days a man might be drunk or slightly under the influence of liquor; but to see a man beastly drunk on the streets was a very rare occurrence, while now it is quite common. Of course men did get drunk in those days too.

36882. What do you regard as the weak point of the old prohibitive enactment?—I think the weak point was this, that the people who had the administration of the system were not thoroughly in sympathy with it.

36883. Do you think permits were too inconsiderately issued?—Yes, I think the intention of the law in issuing permits was not to make the Governor of the Territories practically a bar-tender for the Territories, but that when it was necessary for certain purposes that liquor should be provided, he should give the permit and use his judgment in that regard. I do not think the intention of the permit system was that he should supply the people of the Territories individually with liquor, but that is what it amounted to.

36884. Do you believe from your residence among the people of the outlying districts and your observation generally, that a more rigid prohibition than was had under the permit system would have been acceptable to the people and capable of enforcement?—I think the permit system could have been enforced. Of course no law can be enforced so that it will never be violated. But if the provisions of the permit system had been restricted to the original intention of the Legislature in granting the law they could have been strictly enforced.

36885. Have you thought of the question of the total prohibition of the manufacture, importation and sale of alcoholic liquors for beverage purposes, and if so, what are your views of the practicability of enforcing such a law and as to its effects?—I cannot say I have made any particular study of it, but I have thought of it. I believe if alcoholic liquors could be completely excluded from the country as regards their manufacture and sale, such a law could be very well enforced.

36886. When you say “completely excluded” you mean in the degree laws generally are observed?—Yes.

36887. Have you thought about the question of granting compensation to brewers and distillers in the event of the enactment of such a law?—Yes.

36888. What is your view on that matter?—My idea is that when a man has a license to manufacture or sell liquor, he knows that it may be taken away from him any moment, and at all events he has no right to it after the end of the term. I look upon the licensee as particularly privileged; he has a privilege above the rest of his fellow men.

36889. You think that every man who applies for a liquor license can not obtain one, nor can every man who wants a license to manufacture?—These men knew what was before them when they entered the business. It is not as if they were led into something or compelled to make some expenditure of which they could not foresee the end. This was only a privilege accorded them from year to year, and it was in the power of the Legislature to terminate the arrangement at the end of any year and leave the licensees without licenses. It was with full knowledge of the facts that these men entered the business, and they must take the consequences if it became a question of doing away with the traffic in order to benefit the country. It might be right to compensate them as a matter of expediency, but I do not think they have any right to be compensated.

36890. You think it might pay the country to recompense those men as a matter of expediency rather than have the drink continue to be sold?—Yes.

*By Judge McDonald:*

36891. You spoke of brewers and distillers being licensed only for one year. Do you know that there is an enactment in regard to brewers and distillers, requiring them to keep liquor on hand for a certain number of years before they sell it?—Yes, I know there is.

36892. Do you consider that to be a year to year business?—In the case of manufacture it might not be so.

36893. It was in regard to cases of manufacture you were asked, and you were not asked in regard to retail licenses. In the case of statutory provisions and regulations requiring certain machinery to be put into distilleries or certain changes made in their apparatus, do you think in the event of the trade being closed up, the owners should be compensated for that loss of plant and machinery?—No, for although the law requires a party if he wishes to make liquor to do certain things, the law says if you wish to carry on this business, it will give you permission to do so, but will retain the right to take it away from you, and you enter upon it on your own responsibility.

36894. You think that applies to manufacturers?—Yes.

36895. You are a student of law, I believe?—Yes.

36896. Have you noticed in the law that any applicant for a license requires to obtain the signatures of a certain number of persons in the neighbourhood before he can enter upon his business?—Yes.

36897. Does that same course require to be taken year after year?—I do not think that it does.

36898. What inference do you draw from that: is it that when a man has obtained his license and is in the business, he is allowed to remain in it so long as he continues to obey the law?—It is the same in all positions. If I give a man a good character it remains until he shows that it should be taken away from him, and anybody can enter a protest against a license being granted to a licensee.

36899. You are a prohibitionist on principle, I suppose?—Yes.

36900. Do you think it is a wrong thing to sell liquor?—I could not sell liquor conscientiously.

GEORGE WILLIAM BROWN.

36901. Do you think it is wrong to drink liquor?—I could not do so conscientiously.

36902. Do you think it is wrong to license the sale of liquor?—Yes.

36903. You think it is wrong in principle?—I do.

36904. You think there would be no particular difficulty in enforcing a general prohibitory law in this country, if such a measure were passed?—I think there is difficulty in enforcing any law.

36905. Do you think it would be more difficult to enforce a general prohibitory law than any other law?—Some laws are harder to enforce than others.

36906. Do you think it would be more difficult to enforce a general prohibitory law?—No, I do not.

36907. Name any other law that would be as hard to enforce?—Take the game laws; they are broken every day.

36908. You put them in the same category?—I name those as laws that are broken every day.

36909. You put them in the same category?—I name these as laws that are broken every day.

36910. Do you think it is impossible to enforce the game laws?—I think they cannot be enforced.

36911. In the whole, or only as regards some provision?—In the main.

36912. What was the principal business of the North-west Mounted Police before the license law came into force?—To maintain order generally throughout the Territories.

36913. In connection with what—what was their principal duty?—The largest part of their duty was the enforcement of the permit system.

36914. By whom were they employed?—By the Dominion Government.

36915. Were they paid by the Dominion generally?—Yes.

36916. How large is the force?—The force consists, I think, of over 1,000 men. In the early days of the permit system there were about 500 men, but later on there were upwards of 1,000 men.

36917. The population of the Territories increased during that time?—Yes, about in the same proportion as the police did.

36918. So it was found necessary to increase the strength of the Mounted Police?—Yes.

36919. The force had to be increased to enforce the prohibitory law more effectually?—I think the increase in the Mounted Police was not owing to the permit system. The force was increased when the rebellion of 1885 took place, and I consider it was more on account of the state of affairs at that time, because the force had been diminished until there were only about 700 or 800 men on the force.

36920. We will take the number as 700 or 800. Do you think that without their aid you could easily have enforced the permit system?—I do not think it was necessary to have nearly so many men to enforce it.

36921. You think the people could easily enforce a prohibitory law?—I think it could be enforced.

36922. Do you think that the police or you are able to form a more correct opinion? Take the officers, with ten or fifteen years experience, do you think they are better judges than you in regard to the practicability of enforcing a general prohibitory law?—They should know.

36923. Then you think their experience is greater than yours?—As to the practicability, we have the same opportunities to observe the working of the law.

36924. You think you have the same opportunities as they have over the whole Territory?—Yes, because these men are sent away and are stationed at particular places, and are kept there.

36925. Are there no changes from place to place?—Yes.

36926. And do not the officers travel about from place to place?—Yes.

36927. And you think your experience in judging how far it would be practicable to enforce a general prohibitory law is as wide as theirs?—We are living at the centre of population, and see more people here than they do in any other part of the country. To a certain extent we have the opportunity of judging all over the whole country.



36928. Then your chances, you think, are as good as theirs for forming an opinion. Perhaps you think they are better, as you live at the centre?—They are better in some ways.

36929. If your conclusions and the conclusions arrived at by the officers of the force differ, you think yours would be more likely to be correct?—I do, certainly.

36930. You have the Legislature sitting at Regina?—Yes.

36931. It is made up of members from all parts of the country?—Yes.

36932. That Legislature enacted a license law?—Yes.

36933. Do you think your observation as to what would be best for the country, license or prohibition, is apt to be more in accord with the judgment of the people than that of the members of the Legislature?—Take the Legislature as a whole, they should know; but you have to consider first whether they are in sympathy with the thing.

36934. They are the representatives of the people, I believe, and it is a question whether they would be able to understand the people's sentiment as a whole better than you would?—They certainly should be able to do so.

36935. They have given expression to their own convictions by enacting a license law, have they not?—Yes.

36936. Have you had anything to do with the enforcement of the law?—No.

36937. I think you have spoken of seeing more drunkenness on the streets since the license law came into force. Have you called the attention of the authorities to this fact?—No, because it occurs right on the streets.

36938. Have you taken any steps to check it?—No.

36939. Do you think the men in the traffic here break the provisions of the license law?—When I spoke of the effects of the law, I did not say that the people in the traffic broke the law.

36940. Do you think they break the law?—I cannot prove it.

36941. Have you reason to believe they do?—I do not know that they do.

36942. You do not know where the parties whom you saw under the influence of liquor procured that liquor?—A great many of those who have acted unseemly on the streets have procured it illegally, of course.

36943. You know that as a fact?—Yes.

36944. Do you know where they get it?—I have no idea where they get it. I have seen them around the hotels and have seen them drinking; I saw them last night. I saw several men fighting, and the police came in and took them out. I have not to go very far to prove that, for there are three men in the lock-up.

36945. Do you know anything of the use of pain-killer, eau de Cologne and such compounds for beverage purposes?—They were used frequently, in the early days especially.

36946. Do you know anything of the character of the liquor smuggled in from the United States?—No, I know nothing as to that.

36947. You have spoken of the Lieutenant-Governor having become a bar-tender for the Territories?—I said it was the same as if he was a dispenser of liquor.

36948. Do you know that the Lieutenant-Governor made it a rule, in issuing permits, to require a recommendation from a gentleman of high position?—Yes.

36949. Do you know any other system he could have adopted?—I think the issuing of the permits for beverage purposes was the exercise of a power beyond what the Government had any idea of placing in his hands.

36950. You say that he acted on the recommendation of leading people?—I do not know exactly the men who made the recommendations, but it was generally understood that the recommendations were made by different members of the Legislature. That was the difficulty.

36951. That they were members of the Legislature?—Yes. The difficulty was in this way, that if members of the Legislature asked for permits and were refused, that action might have a result on the next election. A man would be to a large extent biassed and influenced in making recommendations by the very fact that they represented constituencies and that elections might be affected in this way.

36952. Would not the fact that a member of the Legislature was refused a permit rally the prohibitionists round him in his constituency?—I do not know that it would.

GEORGE WILLIAM BROWN.



36953. Take you, yourself, as a student of law and an observer of men, have you ever considered this question: Whether the fact that a member of the local Legislature giving these recommendations, the fact of the central Government increasing the number of permits, the fact that there was all the time a lessening of the prohibitive part of the system, would indicate that the people in the Territories were in favour of the freer use of liquors for beverage purposes?—I do not think it was any evidence of the growth of that sentiment, because we have always been refused a plebiscite.

36954. You are a student of law, and as such it would not be unfair to ask you this question: Is a plebiscite consistent with the principles of British legislation?—No, it is not.

36955. Might not that fact have influenced the Legislature and men who have studied the principles of British legislation, in refusing a plebiscite?—I believe so, but although I have conversed with many, I never heard it brought forward before as an argument against granting a plebiscite, not at all events until the subject was brought before the Assembly and discussed generally. From conversations I have had with a great many of the members, it appeared that a great many of the members were opposed to it.

36956. Can you say how it occurred that with this sentiment existing in favour of prohibition and of having a plebiscite, the members returned to the Legislature were not in favour of it?—Yes. The reason was that the temperance men had not the same interest in this as had the liquor men. I am a temperance man and do not drink liquor. I have no particular interest in the question. My interests are in the bettering of my country and city. I may be wrong in my view, but that is why I do it.

36957. How many were liquor men before they were licensed?—They were smugglers.

36958. Were there very few?—I suppose there were a great many.

36959. Do you mean to tell us that such men would influence the legislators of the country?—It was generally done.

36960. It was supposed to be done to a great extent?—Yes.

36961. How do you know they influence the Legislature?—Every man has his influence.

36962. If these men were smugglers, how do you suppose they could influence the members of the Legislature?—A man who wanted to drink liquor had a far greater interest than another man. They appeared to have greater influence than the temperance men because they had more at stake, the temperance men having nothing but their principles.

36963. What had the man who drinks at stake?—The desire to drink.

36964. You think that one would desire to drink and the other would not?—Yes.

36965. Do you believe that the sentiment in favour of drinking was stronger than the sentiment in favour of temperance?—The men drank red ink.

36966. Do you mean to tell us that the majority of the people were old toppers?—No.

36967. Can you understand, for to me it is inexplicable, why the people, if they were in favour of temperance, and you say the majority were, allowed a license law to be enacted?—As I said before, they had not the personal interest to make them work together and reorganize.

36968. You have told us that the vested interest was that of the smuggler?—In this case it was men who expected to make money out of liquor brought into the country.

36969. That is to say, that men who expected to make money out of license were stronger in influence and exercised more power than the men in favour of temperance?—I do not think their influence was stronger, but they exercised their influence; I do not think their influence is as strong.

36970. That is your explanation as to how the Legislature came to be favourable to a license law?—Yes.

36971. Then that influence is pretty strong in the Territories?—Yes, it has been exercised strongly.

36972. It has a stronger influence, I presume?—Certainly.

36973. How does it come to be stronger, owing to the fact that it is going to be wiped out?—One reason is that some men are anxious to get drink.

36974. Then there must be a large number who want to get liquor in the Territories?—Yes.

36975. We have been told by one witness that in his constituency at Moose Jaw the sentiment was in favour of prohibition. Yet both candidates were license men, and the temperance men did not bring out a candidate, but voted personally as between those two men. Do you know whether that was the case in any other section of the country?—In some places both men were prohibitionists and in others both liquor men.

36976. How many prohibitionists were there in the Legislature when the license bill came up and was submitted?—I do not know.

36977. What is the total number of Members in the Legislature?—Twenty-six.

36978. How many voted against the license law?—I do not know.

36979. Have you any idea, approximately?—I have an idea that there were six or seven prohibitionists.

36980. Six or seven out of twenty-six members?—There were about that number.

*By Rev. Dr. McLeod :*

36981. Did you observe whether after the introduction of the four per cent beer plan that plenty of four per cent beer permits were issued?—The four per cent beer people were always in favour of having a license law ; that is so far as I met with them and conversed with them.

36982. Their inclination was in that direction and was towards that end?—Yes.

JOHN R. C. HONEYMAN, of Regina, journalist, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

36983. How long have you resided in Regina?—I came to this country in 1885.

36984. Where did you come from?—From Scotland.

36985. Were you connected with the North-west Mounted Police?—Yes ; I was five years on the force.

36986. During that time was it part of your duty to try and enforce the prohibitory system?—Yes.

36987. From your knowledge, did the police do their work with diligence and faithfully endeavour to carry out the law?—They would not go out of their way to look for violations. If liquor came under their notice, they would endeavour to enforce the law, but the sentiment of the force was against going out of the way to obtain convictions against people.

36988. Why was that the case?—They felt it was a sort of underhand thing to do.

36989. Did they faithfully patrol the country?—Yes.

36990. Did they try to prevent smuggling?—Yes.

36991. And it was the right of search they did not care to exercise unless they were compelled to do so, I suppose?—Exactly.

36992. But so far as preventing liquor coming into the country, they acted with vigilance?—Yes.

36993. What was your experience : was there much smuggling?—I never had occasion to see any myself, but I was in the Commissioner's office, and I know there was a lot of smuggling, especially in the west. There were illicit stills also. One was at Moose Jaw—at least I heard of one there, and one at Battleford. There was a seizure made about a year ago.

*By Rev. Dr. McLeod :*

36994. You say you are a journalist?—Yes ; I am with the *Regina Leader*.

36995. That is Mr. Davin's paper?—Yes, I am a reporter on it.

GEORGE WILLIAM BROWN.

DUNCAN CAMERON, of Regina, sewing machine agent, on being duly sworn, deposed as follows:—

*By Judge McDonald :*

36996. How long have you resided in Regina?—14 years next June.

36997. Where did you reside before that?—In Elgin County, near St. Thomas, Ontario.

36998. Were you there when the Scott Act was in force?—It worked fairly well.

36999. The Act was subsequently repealed, I believe?—Yes.

37000. How did you find the prohibitory system work in the North-west?—I think there was a great deal less outside drinking than there is now.

37001. Than there is under the license law?—Yes.

37002. Are you a prohibitionist in principle?—Yes.

37003. Are you opposed to the licensing of the traffic?—Yes.

37004. Do you consider it wrong to license it?—I do.

37005. In case of the enactment of a general prohibitory law, that is a law to prohibit the manufacture, importation and sale of intoxicating liquors for beverage purposes, would you favour the payment of compensation to brewers and distillers for their loss of plant and machinery?—I do not think so, for if I started a business, I would not expect the Government afterwards to pay me compensation.

37006. Suppose you started a business, and Parliament subsequently passed a law declaring that you should cease that business, do you think it would be right that you should be compensated for loss of plant and machinery?—No. The Government has done the like before.

*By Rev. Dr. McLeod :*

37007. Have you observed how the permit system worked since you came to this country?—Considerably.

37008. How?—I have seen permits used more than once; that is they use the stubbs for protection. I have seen liquor brought in on them.

37009. You have travelled in the country a good deal, I suppose?—Yes.

37010. Have you observed how the license system is working; whether it is an improvement on the old system?—It is certainly not an improvement on the old system, for there is a great deal more drinking going on, and you hear parties saying, "I wish there was no liquor to be got." They say that after they get through with their spree.

37011. You hear that the country through?—Yes.

37012. You think that some men who drink would rather not have liquor?—Decidedly; they say so at all events.

37013. You believe that drinking has increased under the present system?—In the towns it has decidedly increased. I have travelled 100 miles east to west and 80 north to south.

37014. Do you believe from your observation and from the character of the people, that prohibition, with the permit system, could be enforced?—So far as the country is concerned, there would be no trouble at all; any trouble which might occur would be in the towns.

37015. From coming into contact with the people, which you necessarily do as an agent, have you any reason to believe that if a plebiscite had been taken there would have been a majority in favour of prohibition?—If the temperance people had organized themselves well there would have been a big majority in favour of a plebiscite. Still they might not organize themselves, for the reason that the temperance people generally fail in that way. If they did so, the verdict might be reversed.

37016. Then you think the result would depend on their organization?—Yes, and on the amount of energy they used.

37017. Did the liquor traffic organize against prohibition?—Yes, and will do so as long as there are dollars and cents in the traffic.

37018. Do you believe the strength of the traffic is in the profit got from it?—Yes, I believe that.

37019. What was your observation of the license law in Ontario; did it work well?—No. I have seen too much drinking under the license law and too such drunkenness under the Scott Act. I saw the Scott Act in operation in a little town called Alliston, and every hotel kept at least half a barrel of beer. Under the Scott Act when any one got drunk the sellers took care of the men and saw them taken home, and did not leave them out in the cold to freeze during the winter weather.

*By Judge McDonald:*

37020. Was there more drinking in the houses under the old system?—I could not say that. I know that after the closing hours of the hotels, the wholesale dealers keep open for them.

37021. Is that so that the people can get liquor?—Yes. I have seen three bottles among two men in their room, and the men would be drunk most of Sunday.

37022. Did you notice under the old law that people got a quantity of liquor in by permit and kept on drinking it until it was all consumed?—Yes, I noticed that too.

37023. You think in the rural districts there would be no trouble in enforcing a prohibitory law?—Yes.

37024. Has it been part of the duty of the Mounted Police to enforce the law in the rural districts?—Certainly.

37025. How would you meet the difficulty of smuggling under a prohibitory law?—I believe there would be very little smuggling in the country places.

37026. Was there not smuggling under the permit system?—We stopped it. There are many men who are afraid to break a law, but let the law once be broken or let the Government break the law, then it becomes almost legal to do so.

37027. The Government did not smuggle in liquor. I am asking if smuggling had to be kept down by the police force, how would you hope to prevent it under a prohibitory law?—So far as I am concerned I do not believe there would be any smuggling.

37028. You think that if there was a prohibitory law enacted the people would fall right into the way of observing it?—Yes, so far as the country is concerned, but I know there would be trouble in the towns.

37029. How do you account for the fact that the members returned to the North-west Legislature were in favour of adopting a license law?—I cannot account for it directly, but I know generally what are my feelings and I generally act according to them, and I find that other people generally do the same. If I elect a man under disguise, who says he will be in favour of prohibition and at the same time is a drinker, I find that he generally goes with his party.

37030. But take, for instance, Moose Jaw. There both candidates were license men and the temperance men did not bring out a candidate. How do you account for the fact that so many candidates were elected in favour of a license law? Can you account for it?—I can to a certain extent. We will take the case of an informer, which I have been. I went and informed, and the members of the church I go to looked upon me as an informer.

37031. They looked upon you with contempt?—Yes.

37032. Because you informed against men who broke the law?—Yes.

37033. Were those church members temperance men?—No, they were not.

37034. You believe that most of the people in the Territories are friends of prohibition?—Yes, outside the towns, but there is a difference in the towns.

37035. In the towns I suppose there is a large number?—Quite a large number.

37036. That being the case those people surely would look upon you with contempt as being an informer—I refer to people favourable to prohibition. Were the people who looked upon you with contempt favourable to prohibition?—Yes.

37037. With a large section of the towns favourable to prohibition and the people in the rural districts favourable to it, how do you account for candidates getting elected who favoured a license law?—I do not know.

37038. Is it not inexplicable?—Yes.

37039. It certainly seems to be inexplicable, if the sentiment of the people is as you say it is?—I fully believe the sentiment is that way. It is a matter of dollars and cents

DUNCAN CAMERON.



with a good many men. I believe the permit system was (I was going to put it pretty strongly) directly in opposition to temperance principles.

37040. It has been stated before the Commissioners that the Lieutenant-Governor generally acted on the recommendation of leading men or of Members of the Legislature in granting permits?—I have no doubt he did.

37041. That being the case, why did not the party favourable to prohibition put forward candidates and elect them to the Legislature instead of electing members favourable to a license law?—So long as the people have the traffic before them and it is legalized by law—for the people are a law-abiding people—they will consider it right to a certain extent to use liquor, and it is pretty hard to break down a law on those grounds. Of course the people say that this or that man drinks. I know parties up there who drink and get the worse of liquor.

37042. You say that both were candidates for the Legislature and they got the worse of liquor and were both drinking men?—They are both license men.

37043. With the license candidates running, could not a prohibitionist have been elected, running as a third candidate?—No.

37044. Why?—Because they were not organized.

37045. Then the election of license men was really because the temperance people did not organize and bring out a candidate?—Yes.

37046. Did those interested in the liquor business organize and bring out candidates?—Yes.

37047. Can you explain in any way about the liquor men organizing and bringing out candidates?—The influence of the liquor men and their organization is directed to obtaining licenses.

37048. And the temperance men voted for such candidates?—Yes, I am sorry to say I voted for one of the two candidates who favoured license, which I will never do again if I live to be as old as Methusalah.

37049. It is stated that one of the candidates did not drink?—Then I am wrongly informed.

37050. It is stated that one of the candidates, I repeat, did not drink. I stated what I have heard. I know one and have seen him drinking.

A gentleman present, who said he was the editor of the *Moose Jaw Times*, arose and said :—

I have heard the statement of the witness, and in reply I wish to say that his assertion in regard to both of the gentlemen who were candidates at the last election, is not correct.

37051. WITNESS—I withdraw that part of my statement.

The Commission adjourned, to meet at Calgary, November 7.

CALGARY, November 7, 1892.

The Royal Commission on the Liquor Traffic met here to-day.

*Present :*

JUDGE McDONALD.

REV. DR. McLEOD.

JUDGE McDONALD, in opening the proceedings, said : I have to announce that the sitting of the Royal Commission on the Liquor Traffic is now open for business. Her Majesty's Royal commission, under the great seal of the Dominion, was read at Winnipeg, and so the reading may be dispensed with here. I may repeat the statement made at other places, that the Commissioners on entering upon the discharge of their duties unanimously agreed that drunkenness is an evil, and therefore we do not desire to get evidence on that point. The evidence the Commissioners desire is of a more practical kind, viz., in connection with the license law and its working, as compared with prohibition in places where the latter system has been in operation, and other matters of a like nature. Following the practice adopted by the Commissioners, we will now proceed to take the evidence of the Mayor of the town.

ALEXANDER LUCAS, of Calgary, financial and real estate agent, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

37052. I understand you are Mayor of Calgary ?—I am.

37053. Is this a town or a city ?—It is a town under an Ordinance of the Northwest Territories.

37054. How large a municipal body is here ?—There are six councillors and a Mayor.

37055. Are they all elected by the people ?—Yes.

37056. How long have you held the position of Mayor ?—Since June, 1893.

37057. Are you elected for a year ?—Yes.

37058. How long have you resided in the Territories ?—Since 1886.

37059. Have you lived all that time in Calgary ?—Yes.

37060. Did you come here from one of the other provinces ?—I came here from Lambton County, Ontario.

37061. When you left there in 1886, what system was in force, license or prohibition ?—I am inclined to think it was prohibition.

37062. The Scott Act had been passed ; do you know whether it had been enforced or not ?—Yes, I think it was enforced.

37063. Are you able to speak concerning the working of the Scott Act ?—Not very much. I was there occasionally. There were many complaints and prosecutions for illegal selling.

37064. Do you mean at Lambton ?—Yes, at that time.

37065. You observed that when you made occasional visits there ?—Yes.

37066. You are aware that the Act was subsequently repealed ?—Yes.

ALEXANDER LUCAS.

37067. Then you came to the North-west Territories and found prohibition and a permit system in force here?—Yes.

37068. What were your impressions of its working?—You could get all the liquor you wanted if you paid 20 cents a glass for it.

37069. Where could you get it?—In saloons in the town.

37070. Were there many of them?—I heard it reported that there were 13 different saloons in Calgary when I came here in 1886, although I do not know it to be so for a fact.

37071. You say the strong liquor was 20 cents a glass?—Yes.

37072. What was the kind of liquor used, was it pure or adulterated?—I could not say about that. I heard that it was adulterated, and also that it was first-class.

37073. Was the sale open?—Not as a rule; the door was locked with a spring lock.

37074. How did you obtain admittance?—You rapped at the door and were admitted into a room where there was nothing to sell. If you were acquainted with the proprietor of the place, you were served there.

37075. How long did that state of things continue?—For a couple of years.

37076. Then what happened?—There appeared to be a total cessation of any efforts to enforce the law. Saloons ran openly, and there were a great many of them.

37077. Was liquor openly sold?—Yes.

37078. Was the price reduced from 50 cents?—Yes, it came down to 25 cents.

37079. While the liquor was the same, some good and some bad?—Yes.

37080. How long did that state of things continue?—Until the introduction of the license system.

37081. How many places have you in Calgary that are licensed?—The Inspector will be able to give you the exact number.

37082. Taking Calgary as it was under the old system and as it is now, have you noticed any change in regard to the maintenance of order in the town?—I do not think there is any change; the people are just as law-abiding now as they were then.

37083. What about disorders in the streets and matters of that kind?—I do not think there is much difference. There is a little more drunkenness.

37084. It is more open, I suppose, the sellers do not keep them hidden as they did?—No.

37085. Do you know anything in regard to matters outside the town?—Not personally; I do not travel much in the country.

37086. It has been stated in other places that eau de Cologne, pain-killer and such liquids were used as beverages. Have you any knowledge of that fact?—I have heard it reported that such things were used previous to 1886.

37087. Taking Calgary from the time you have known it, could not and did not the people take such liquids in place of whisky, if they could not get it?—They could get all they wanted for 50 cents a glass—at the rate of \$2.50 and \$5 per bottle.

37088. Judging from your observation, did the people engaged in the traffic make money?—Yes.

37089. You believe they did so?—Yes.

37090. Was that their only means of living?—That was all the means of living they had, I think.

37091. How do you find the license law work, as a citizen. Does it appear to work satisfactorily or otherwise?—I think it works satisfactorily.

37092. Are there any suggestions you desire to offer to the Commission in regard to improvements in the license law? The only suggestion I could offer would be this, that bars should be public, that they should be placed in front rooms, with glass windows, and the curtains should be kept up during the prohibited hours, so that any person walking on the streets, such, for example, as the Inspector, could see whether any one was in the room or not.

37093. You would have sale confined to a room fronting on a public street?—Yes, and open to the public view.

37094. In 1886 was this town a station for the Mounted Police?—Yes.

37095. Suppose a prohibitory law were enacted, a law prohibiting the manufacture, importation and sale of intoxicating liquors for beverage purposes, would you deem it right that brewers and distillers should be compensated for their loss of plant and machinery?—Yes, if it were a prohibitory law that would prohibit.

37096. That is a law which would close up the business?—Yes.

37097. Do you doubt that such law would have that effect?—I doubt the ability to enforce such a law.

37098. In the North-west Territories?—Yes, that is for partial prohibition; prohibition for the whole Dominion might be enforced.

37099. Have you reason to believe that any illicit sale takes place in Calgary?—I do not think there is now.

37100. Taking the number of places that existed before the license law came into operation and the number now, which would be the greater?—There was a greater number previously.

*By Rev. Dr. McLeod:*

37101. Did the saloons to which you have referred continue after the license system came in?—I think there were 10 or 12 at a time; sometimes more and sometimes less.

37102. Was there no machinery then to prevent this illicit sale?—Very little that you could see.

37103. Were the prosecutions carried on mainly by the Mounted Police?—Yes.

37104. Have you reason to believe that the Mounted Police did their duty, or was it done only occasionally?—I believe to a certain extent they did their duty. Of course it depends entirely on what they considered their duty to be.

37105. Did they do their duty in closing up illicit places and in prosecuting?—I think they did.

37106. I think you said you thought there was more drinking now than previously?—That is the opinion at which I arrived from my observation.

37107. Has your police force been increased of late years?—No.

37108. What is the strength of the force?—The Chief and two men.

37109. Do you preside at the police court?—During this summer I have done so.

37110. What are the offences or charges generally brought before the court?—Drunkenness.

37111. Are there many convictions for drunkenness?—I suppose there is an average of two or three per week.

37112. Are the police instructed to take up those drunken people who are disorderly?—Only those who are disorderly or incapable.

37113. Then if a man is quiet and going home, he is allowed to go home?—Yes.

37114. Are you able to say whether drunkenness has been more prevalent of late years than before?—No. I was acting as Magistrate, but I never looked over the records.

37115. I suppose the records of the police court would show this?—I think that the Chief will be able to give you the figures from his books.

37116. I suppose your predecessor acted as Magistrate when he was Mayor?—No he did not.

37117. Who was the Magistrate?—Mr. George Murdock acted as Magistrate. There is no Police Magistrate, neither is the Mayor the Magistrate by virtue of his office, but he has to be specially appointed. Mr. Murdock was acting Magistrate.

37118. The license system came into force on 1st May, and we have heard that licenses were granted here before that. Can you explain whether that statement is correct?—The people were to sell temperance drinks.

37119. How many such places were allowed?—I could not give you the correct figures.

37120. Do you know whether the sellers confined themselves to such liquors, or did they sell intoxicants? Were any prosecuted for selling intoxicants?—Some were, but not many.

37121. Have you reason to believe that there is sale after hours and on Sundays here now?—I have no personal knowledge of it.

ALEXANDER LUCAS.



37122. Have you, as Mayor of the town, any impression that there is?—I think one of them does, but not to a great extent.

37123. Have those parties been prosecuted?—No. I think there have been some cases, but they have not come before me and are not of parties in the town. I think the licensees are living up to the law in Calgary; at least most of them are, pretty strictly.

37124. As to the question of prohibition, you think the old system did not prohibit?—No, not a particle; it was no good.

37125. Was that because of the indiscriminate issue of permits?—No, I think that had very little to do with it.

37126. Were the permits issued quite freely?—Yes, during the last two years they were issued to a great extent.

37127. Do you know whether permits were issued to men in the trade, I mean in the illicit selling of liquor?—I do not think so.

37128. How did they get their liquor?—By secret shipment, by smuggling and so on.

37129. We have been informed that a man would get a permit for five or ten gallons and that he would get in 30 or 40 fellows; the liquor would be held on the stub of the permit, and so long as the quantity on hand did not exceed what was specified on the stub he was safe—the stub standing between him and prosecution. Do you know whether that was the case in Calgary or not?—Yes, I have been informed that the decision of the Court was that the man was protected by the stub, if he had not a larger quantity than was specified.

37130. Could any one examine into how he got it?—It rested with the prosecution to show that he got it illegally.

37131. Do you believe that there were men who did sell illicitly and who got their liquor (of course they smuggled more or less of it) in by permit, and they used the protection of the permit for an indefinite length of time?—I believe a great many of those who sold through saloons kept a quantity for selling behind the bar in such a position that it might be noticed and seized, but I do not believe one-tenth or one-twenty-fifth part of the liquor came in on permits. It was smuggled and kept hidden and sold when they had an opportunity.

37132. Was it protected by the stubs?—Yes, to the extent of the stubs held.

37133. I suppose they were careful never to have a quantity exceeding the quantity specified on the permit?—They never had more than the quantity specified.

37134. Speaking of the question of prohibition in a large way, you have expressed an opinion about compensation. Do you believe a general prohibitory law, that is a law prohibiting the manufacture, importation and sale of intoxicating liquors for beverage purposes, could be fairly well enforced?—Judging from my experience in the North-west Territories, I do not believe so. The attempt was made to prohibit the manufacture and sale and there were 1,000 police in these Territories and patrolling the country, and yet we know that carload after carload of liquor came into the country.

37135. Do you believe the police force were as vigilant as they might have been?—I believe the profits made out of the business were such that the dealers could afford to get liquor in.

37136. Do you think that if there was a prohibitory law for the whole country, fairly well enforced, it would be productive of benefit?—If you could pass a prohibitory law that could prohibit, I believe it would be a benefit to the country.

37137. Have you observed whether the drink trade, as carried on in the Territories, has had an injurious effect on the business of the Territories and upon social conditions and home life?—I do not think to any greater extent than in any other part of the country.

*By Judge McDonald :*

37138. Do you know that latterly under the permit system the police made it a point to cancel the stub which they found at the time of delivery?—Yes.

37139. So this cancellation did away with the system of which you have spoken?—Yes.

37140. I understood you to say that drinking had increased under license?—It is drunkenness that has increased—it is more apparent. As to the consumption, I do not know; I do not think it has increased.

37141. Then you do not think drinking has increased ?—No.

37142. But drunkenness has increased : at all events, it is more apparent ? - Yes.

37143. You have spoken of the men who used the stubs of permits until the police adopted the system of cancellation. The sellers, you believe, had a larger stock of liquor hidden somewhere that they could bring forward as occasion required ?—Yes.

37144. Then only part of their stock was exposed ?—Yes.

37145. Do you know whether liquor was brought in secreted in different kinds of packages, in barrels of rice and sugar ?—Yes ; I know a number of seizures were made of packages concealed in sugar, salt and apples.

37146. Do you know whether the police used borers with which they bored into the packages ?—I have heard of them having them in Regina, and of their boring into packages and barrels and examining them.

37147. Have you known of occasions in which carloads of cases of liquor were brought in, and when the police bored into them to ascertain whether the liquor was four per cent beer or not, it was found to be stronger liquor ?—Yes, I have heard so.

37148. You have given your opinion of a prohibitory law. I wish to ask you as Mayor of this town a question on another line. You are depending for the settlement of the country on immigration, I suppose ?—Yes.

37149. And that immigration is chiefly from the countries of Europe ?—Yes, partly.

37150. I will read you a quotation from a book recently written upon your country. It is a work written by Mr. Warburton Pike, entitled : "The Barren Ground of Northern Canada."—I know him.

37151. This book was published by McMillan & Co., in London and New York. The author makes the following remark in regard to the prohibitory law in the North-west Territories :

"At the present day the Prohibition Act orders that even the white man of the North-west must be temperate, thereby causing whisky to be dear and bad, but plentiful withal. It is surprising how such a law exists in a country where the white men not only want drink but do drink in open defiance of the commands of a motherly Government."

I have read you that statement as expressing the opinion of a stranger. Do you agree with his views ?—I do.

37152. That is in regard to the particular district to which the writer is referring ?—Yes. I happened to bring that gentleman from the Calgary country to the south in my own rig. His experiences deal more with the country north than with the Calgary district.

37153. I was not aware that you had any knowledge of him. He further says :—

"In the month of June, 1889, I left Calgary for a drive of 200 miles to Edmonton. It is the starting point for the great northern country controlled by the Hudson Bay Company, and with the exception of the scattered trading posts and an occasional Protestant and Roman Catholic mission, the country is entirely given up to what it was evidently intended for, a hunting ground for the Indians."

I suppose in those days the country was scarcely settled ?—Yes ; it has been settled not very long.

37154. His great object was to shoot and kill the moose ox ?—Yes.

37155. Miles north of Great Salt Lake ?—Yes.

37156. I wish to ask you as a citizen, knowing the class of people who emigrate from the old country and settle here, whether you can form an opinion on this point : taking the country as it is and knowing the laws as existing, would you be apt to get a larger emigration from the mother country of a good kind into this section of country with a prohibitory law in force or with a license law ?—I have no knowledge or any means of knowing, except from the people who do come here.

37157. Are they people with prohibition sentiments ?—No. I should say 75 per cent of them were people who had always been able to get their beer or whisky when they wanted.

37158. Are they people who partake in moderation of such liquors ?—Yes.

37159. They are not intemperate people ?—No.

ALEXANDER LUCAS.

37160. Do you think that those people to whom you have referred are a good class of people, law-abiding and sober?—Yes.

37161. Such as you, as a public man, would like to encourage and bring to the country in increasing numbers?—Yes. We have during the last month through our office brought in 150 people from Washington Territory and Idaho in the United States, a great many of whom were Canadians.

37162. Does the same statement apply to them as applied to the immigrants from the old country?—I fancy so. The old country people seem to be fond of their beer while the Americans drink more whisky.

*By Rev. Dr. McLeod :*

37163. How long was Mr. Pike in the country?—From his conversation, I should think about two or three years in the northern country.

37164. I think he says that nine out of ten people drink. Is that your observation?—I should say nine out of ten people in the northern country drink.

37165. Is that true of the district of Calgary and the surrounding country?—I think not.

37166. He also says "Prohibition actively enforced causes whisky to be plentiful." Is that a correct statement?—It was plentiful, from the fact that there were large profits to be made out of it.

37167. Plentifulness then, I suppose, was not caused by the Prohibition Act?—It was caused by the profits.

*By Judge McDonald :*

37168. The words used are : "Causes whisky to be dear and bad, yet plentiful withal."—Yes.

*By Rev. Dr. McLeod :*

37169. Do you think there was less whisky brought into the country then than now?—No.

37170. Was the old system, which was called the prohibition system and also the permit system, really a system of prohibition or permission?—It was a system of prohibition. It prohibited people who did not hold permits from getting liquor.

37171. But was it not true that every one could get permits?—No. I have noticed the system a good deal, and it was only after the decision of the courts that people kept the liquor protected by stubs. It all amounted to this : that a man who had in his possession a stub was protected and could not be prosecuted if the amount of liquor was the same as specified on the permits or stubs, and one man could hold a permit and liquor for another person.

37172. You mean that one man would have the liquor and another the permit?—The man must have the permit.

37173. Then the permit would go from one man to another?—Yes.

THOMAS DOWLING, of Calgary, Collector of Inland Revenue, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

37174. Did you come here from one of the other provinces ?—I came here from New Brunswick.

37175. From what County ?—From York.

37176. From the city of Fredericton ?—Yes.

37177. The Commission have held sittings at Fredericton and have taken evidence in regard to the law there. So I will not trouble you with questions about the law there. Did you come directly from there to the North-west Territories ?—No. I came out in 1878, and joined the Mounted Police, and continued in the force until 1885.

37178. Then did you settle down here ?—I was transferred to Calgary. Until last May, I was in Winnipeg ; I was then in the Inland Revenue Department. I had been in British Columbia.

37179. How long were you in the Mounted Police ?—From 1878 to 1885.

37180. What was your duty in connection with it ?—I was a police officer.

37181. Were you stationed at different places ?—At Fort Walsh, Fort Macleod and Calgary.

37182. When you came here, was the permit system in force ?—Yes.

37183. Was the North-west Mounted Police Force faithful in carrying out that law ?—Yes, to my knowledge.

37184. Did you find any difficulty in enforcing it ?—Sometimes.

37185. Was there any smuggling ?—Yes. The police destroyed large quantities of liquor.

37186. Were there any illicit stills ?—Yes. In one or two instances they destroyed stills.

37187. We have been told that one of the duties or rights of the police which was distasteful to them, was the right of search ?—Yes.

37188. They would do that work when they were ordered, but they did not care to exercise the right frequently ?—That is true.

37189. To what extent did the right of search go ?—If the officer received information that a man had liquor in his possession not covered by a permit, he could go and search the premises throughout, and if he found the liquor he could prosecute the party who had it. If it was in the building he destroyed it.

37190. If it was within the residence he destroyed it and then prosecuted the party ?—Yes.

37191. To what extent did the right of personal search go, if men had liquor on their persons ?—I would search their persons.

37192. Would you take it from them ?—I have done so in some cases.

37193. Was the man prosecuted and the liquor destroyed ?—The officer who made the search generally acted as Magistrate. I do not know of one case where the party was not prosecuted.

37194. Would the liquor be destroyed before the prosecution took place ?—It was destroyed in the presence of the man, after he was sentenced.

37195. The liquor was retained until the case was decided ?—Yes.

37196. If he had a permit and it covered the amount of liquor in his possession, he was acquitted ?—Not always. The rule I adopted, and I think other officers acted in same way, was that if a man presented a stub to any officer, he had to produce the original package in which the liquor came, and the stub would not protect him. For instance, a man purchasing from the Hudson Bay Company a quantity of liquor under permit, the liquor would be addressed to him, and the officer would know when the liquor was to arrive at say Calgary (I am not speaking of Calgary). If the liquor was found to be in another vessel, the man was prosecuted.

37197. The permit would not protect him ?—Certainly not.

37198. So, not only did the liquor have to be within the specified quantity but actually in the original packages ?—Yes, in the original packages.

THOMAS DOWLING.



37199. So far as your judgment goes, the members of the force were honest in their work?—Yes. I have never known a case where the police failed to discharge their duties.

37200. How long have you held your present position in this town?—I was transferred here in May last.

37201. Does much liquor come in in bond?—When I came to Calgary, the dealers, not anticipating that an Inland Revenue Law would be passed when the country was opened up, had paid high duties on large quantities of liquor, and the result has been that up to this day I have collected very little duty. I have no doubt that I shall collect later on.

37202. You mean that all the liquor came in in bond?—Certainly.

37203. The law only came into force when you came here, I suppose?—Yes.

37204. What is called the increase of the permit system did not take place until after you left the force?—No; I left some time before that.

*By Rev. Dr. McLeod:*

37205. You have spoken of Fort Macleod: was considerable smuggling carried on there?—A good deal.

37206. Did you find Fort Macleod about the hardest place in which to enforce a prohibitory law?—Calgary, in 1883-84, compared favourably with Fort Macleod.

37207. Between 1878 and 1885, which were the years you were on the force, did prohibition succeed in any degree?—I can only say this, that I was at Calgary previous to the construction of the Canadian Pacific Railway and the duty to a great extent fell upon me to administer the law. I was considered severe as a Magistrate, but notwithstanding all I could do, quantities of liquor came into the country. People were arrested and fined, but it was impossible to keep out the stuff.

37208. Was it not enforced in any degree in construction time?—It was enforced during the construction days; we had to try and prevent the use of liquor as much as possible.

37209. Did you succeed in preventing it in some degree among the men engaged on construction work?—Yes, we tried to do it.

37210. Did you succeed somewhat?—To some extent. I destroyed large quantities of liquor. I destroyed a carload once here.

37211. We have had it in evidence that there was a great deal of difficulty in enforcing prohibition during the construction period?—Yes, some of the liquor was purchased by contractors on the Canadian Pacific Railway, who wanted to get liquor on the works in British Columbia and to make money out of it.

37212. To gather up the wages of the men, I suppose?—I think so.

37213. From your observation and large experience, if instead of attempting to enforce prohibition during that period, there had been sale of intoxicating liquors along the line, would there have been a different and less desirable state of things among the men?—They got liquor any way.

37214. Are we to understand that, notwithstanding the attempt made to prohibit the importation and sale of intoxicating liquors, liquors were sold in as large quantities and as freely as if no attempt had been made?—I cannot say that. I am giving you the facts however. I was here in Calgary and had the police force under my command.

37215. How many men?—Sixty men, and there were also some police in the mountains, and I tried everything in my power to carry out the law. In fact, I was considered very severe, although it was my duty to carry out the law; but with all my force I could not keep liquor out of the country.

37216. Could not you keep it out in any degree?—I destroyed a good deal of liquor and fined many men, but other men would spring up in their places.

37217. If you had not made an attempt to enforce prohibition and had not succeeded as far as you did succeed, do you think there would still have been more liquor sold and more evil effects?—I rather think that would have been the case.

37218. You have lived here this year, you say, and the license law has been in operation here since 1st May. Have you observed whether there has been more or less drunkenness than previously?—In my opinion there is less drinking now.

37219. Than there was before?—Yes.

37220. How do you account for that?—I cannot really account for it. I am speaking from my own observation. Since I came here in May I have seen very few people drinking or drunk in Calgary.

37221. It is true that in Calgary, prior to the introduction of the license system in May last, there had been practically a license law in force here for two or three years?—I have no knowledge of it; I was not here.

37222. I was comparing Calgary as it is with its condition under the law in 1883-84?—During the time of the construction of the railway, we had quite a large population here.

37223. What were the class of people compared with the class now?—The class of men here now is a sober one.

37224. They were largely navvies then?—Yes, the whole country has changed, you can form an idea, for in 1882 this place was a prairie, and now it is a city.

*By Judge McDonald :*

37225. I suppose you know the class of people that are here now; are they generally law-abiding people?—Yes.

37226. Are they moderate drinkers?—I have not seen any of the inhabitants drink much.

THOMAS ENGLISH, of Calgary, Chief of Police, on being duly sworn, deposed as follows:—

*By Judge McDonald :*

37227. Do you hold any other position than Chief of Police?—No.

37228. How long have you lived here?—22 months.

37229. Where did you reside before that?—In Winnipeg.

37230. Where before that?—In London, Ontario.

37231. How long have you been Chief of Police?—22 months.

37232. Were you on the Winnipeg force?—Yes.

37233. How many men have you?—Two beside myself.

37234. Have you anything to do with the enforcement of the license law?—No.

37235. You have no duties to discharge under it?—No.

37236. When you came here the permit system was in force, I suppose?—Yes.

37237. And since May a license system?—Yes.

37238. How have you found them work, the present law with the other; which has proved to be more satisfactory?—The present system.

37239. What was the state of things when you came here; was liquor being sold in the community?—Yes.

37240. Was it sold openly?—Yes.

37241. In many places?—Yes.

37242. Had you any means of ascertaining what kinds of liquor were sold?—Any kind you asked for, I suppose.

37243. Do you know whether it was good or bad?—No.

37244. Were there more places then than now?—Yes.

37245. You say there were more than you have now?—Yes.

37246. Taking the two systems, are you able to say whether there is more liquor consumed under the present system than under the other?—I think there has been more liquor consumed since 1st May.

37247. Do you think that more people drink?—Yes.

37248. I am not speaking of drunkenness, but the consumption of liquor?—I think there has been more liquor consumed since 1st May.

THOMAS DOWLING.

37249. How do you account for that, with a less number of places selling?—Liquor is cheaper.

37250. You think that people who drink consume more?—Yes.

37251. What is your opinion in regard to drunkenness?—There has been more since 1st May than during five or six months before. There are a lot of railway men employed working on the Calgary and Edmonton Railway, and they drink a lot.

37252. When you came here, were the North-west Mounted Police looking after the law?—Yes.

37253. Did they look after drunkenness or anything of that kind?—Only drunkenness among the Indians, I think.

37254. Have you any suggestions you could make in regard to the license system, which would be beneficial to the community?—Yes. It is very difficult to enforce the law at present. The bars are placed in the rear of building and it is hard for the Inspector to ascertain what is going on. If licensees were compelled to place the bar in the front of a building and if the parties were also compelled to remove screens, those changes would do more than anything else to assist in the law being carried out.

37255. You concur in the suggestion made by the Mayor?—Yes.

37256. Are there any other suggestions you can offer?—I do not think so.

*By Rev. Dr. McLeod:*

37257. I think you said it was not your duty to enforce the license law. Whose is it?—The License Inspector.

37258. Have you reason to believe that there are illicit places selling now?—I do not know of any.

37259. Have you reason to believe that men holding licenses sell after hours and on Sunday?—We have, by occasionally seeing men drunk on Sunday.

37260. Do you know whether the licensees have been prosecuted for selling after prohibited hours?—Yes, some; I do not know much about them however.

37261. How long an experience did you have of the old system before the license law came into force?—One and a half years.

37262. Did you regard that as a system of prohibition or permission?—Of permission.

37263. Are there a number of places licensed to sell liquid refreshment?—Yes; the law licenses them to sell liquid refreshment.

37264. Have you reason to believe they sell anything else?—They were not licensed to do so.

37265. Were you in the police before you came here?—Yes, at Winnipeg, for a number of years.

*By Judge McDonald:*

37266. Was not the system you found in force when you came here called prohibition?—Yes.

37267. Were there a number of those places of which you have spoken, and do you think there was a large sale there?—Yes. I do not think they refused liquor to any one who had money.

37268. Taking the community as a whole, do you think there are a great many people who take intoxicating liquors?—Not more than in any other part of the country.

37269. Are there a large number who take liquor in moderation?—Yes.

37270. Do you think Calgary compares favourably with other places?—Yes.

37271. That is your opinion both as a police officer and as a citizen?—Yes.

*By Rev. Dr. McLeod:*

37272. I think you said there was quite free sale prior to license. Do you think there was any attempt made to interfere with the men who were selling?—I do not think so.

37273. Whose duty was it to interfere?—The duty of the Mounted Police.

37274. Do you think they connived at violations of the law?—I could not say that they did.

37275. The people went on selling?—Yes.

37276. And the police were right in Calgary at the time?—Yes.

*By Judge McDonald :*

37277. You heard Mr. Dowling's statement, I suppose?—Yes.

37278. He spoke of his force having made strong efforts to suppress the sale?—I have heard that they did so, but it was before my time here.

37279. Then you have reason to suppose that his statement was accurate?—Yes.

37280. You have no reason to think to the contrary?—No.

JAMES WALKER, of Calgary, lumber merchant, on being duly sworn, deposed as follows:—

*By Judge McDonald :*

37281. Do you hold any official position?—I am Chairman of the License Commissioners.

37282. How long have you resided here?—Since 1880, twelve years.

37283. Did you come here from one of the other provinces?—I came here from Hamilton, Wentworth County.

37284. There was a license law in force there, I believe?—I came to this country as a mounted policeman, in 1872.

37285. How long were you in the force?—About two years.

37286. During the time you lived in the Territories, at what places have you lived?—I have been at Battleford and in the Prince Albert district.

37287. Was it your duty to enforce the prohibitory law?—Yes.

37288. Was the force vigilant in endeavouring to enforce the law?—At that time they were.

37289. What was the principal trouble in enforcing the law there?—Our duties were with the Indians.

37290. Do you mean in keeping liquor away from them?—There were no dealers in the northern country, except the Hudson Bay Company.

37291. They did not sell to the Indians, I suppose?—Yes, to anybody.

37292. Did you see any smuggling?—Not much.

37293. How did liquor come in then?—By permit.

37294. We have been told that in some places, under the old system, when a man got liquor in by permit, he would call his friends together, and they would keep on drinking until they had drank all the liquor?—I have seen cases of that kind in the north.

37295. Do you know anything of the use of such articles as pain-killer and eau de Cologne?—I have not seen much of that, but I saw one man taking pain-killer; in fact he was a prohibitionist.

37296. Was the sale of those compounds stopped eventually?—Yes, because they were sold for that purpose, and the Indians got hold of them. A mixture of pain-killer and Jamaica ginger was compounded and sold. It was another name for whisky.

37297. Then it was whisky made into decoctions so as to be able to sell it according to law?—Yes.

37298. It was brought in legally in bottles the same as pain-killer?—Yes.

37299. What class of people would obtain it?—Generally traders, who would sell it to the Indians during treaty payments.

37300. They were what you would call pedlars?—Yes.

37301. Did they sell other goods?—Yes, tea, sugar and groceries, which they would sell to the Indians also at the treaty payments.

THOMAS ENGLISH



37302. That method and the permit system constituted the two methods by which liquor was brought in?—Yes.

37303. Did you ever have occasion to search houses in your district?—I think once or twice probably.

37304. Did you ever have occasion to search places and houses?—I have searched carts.

37305. Was there much settlement in the country in those days?—No.

37306. Were the Indians the only settlers there then?—Nearly.

37307. Then we understand you left the force in 1880?—Yes.

37308. Have you had any experience in the Macleod district?—No.

37309. Then you settled down in Calgary?—Yes.

37310. Did the force endeavour to carry out the law according to your observation here?—Until the last three or four years.

37311. We have evidence from the Mayor that there was a certain amount of sale going on when you came to the town?—Yes.

37312. Since 1st May this part of the country has been under a license law, I believe?—Yes.

37313. Taking the state of things before and after the license law in Calgary, which do you think is preferable? I should say that license was preferable to the last year or two of the prohibitory system.

37314. You are Chairman of the Board of License Commissioners?—Yes.

37315. Appointed by what authority?—Of the North-west Council.

37316. How large a district have you under your charge?—We have what is called the Calgary district.

37317. What does it take in?—The country north of here for a distance of 60 miles to High River, and west as far as Banff, and east as far as Gleichen, that is the Calgary electoral district.

37318. How many licensed places are there in the district?—I could not tell you off hand, but I expect the Inspector will be able to tell you.

37319. Can you tell how many there are in the town of Calgary?—I think five or six hotels, two restaurants and three wholesale houses.

37320. What are your duties as Chairman of the Board? Are your duties confined to the town?—Yes.

37321. Have you considered the question of granting compensation to brewers and distillers in case of the passage of a general prohibitory law, which would be the means of closing up their business?—I have not.

*By Rev. Dr. McLeod :*

37322. What are the conditions under which licenses are granted for the sale of liquor?—There are three different systems. There is the system of hotel licenses for towns, and another system for retail licensed places for country districts, there is a license for restaurants and a wholesale license. So there are really four different kinds.

37323. Take the hotel licenses in Calgary; at what hours must they close at night?—I could not tell you that.

37324. They have to make application for licenses?—Yes. The Chief Inspector is in Regina, and the papers are sent to him. Those papers are submitted to the Commissioners, who pass upon them and decide whether the applicant should be granted or refused a license.

37325. Has the applicant to obtain a certain number of signatures?—Yes, 10 out of the nearest 20 householders.

37326. Take Calgary, were any applications for licenses refused?—No.

37327. Did you find that all who applied had complied with the conditions?—Yes.

37328. What is the cost of a license?—\$200 for each license.

37329. Do you know whether the wholesale dealers in Calgary have also retail licenses?—No, they have not.

37330. You think the prohibition system was fairly carried out until within the last two or three years. Why was it then less efficiently carried out?—The Mounted Police did not seem to have the same energy in carrying out the law as previously.

37331. Were permits issued here indiscriminately?—I think the four per cent beer system had a good deal to do with more liquor being used. The law was almost a dead letter after that system was introduced.

37332. Did you observe that under the four per cent beer plan almost every kind of liquor was introduced?—Yes.

37333. Do you think a license system would be preferable to the condition of things prevailing prior to those two or three years, say to the condition of things prevailing from 1879 to 1882?—There was not as much liquor used then as now.

37334. Do you think there is more drinking in the Calgary district than previously?—I think there is more among a certain class. There are more people who are able to afford liquor now, and there are a great many who buy it wholesale.

37335. As between license and prohibition, which system do you consider preferable?—My own conviction is that if prohibition could be strictly carried out, it would be a good thing.

37336. From your experience with the Mounted Police, do you think a vigilant and faithful force would effectually carry out prohibition?—It was different when I was with the force, because there were not so many people here then. It would be very expensive to stop illicit sale at the present time.

37337. Speaking of a prohibitory law for the whole country, a law to prohibit the manufacture, importation and sale of intoxicating liquors for beverage purposes, do you think it would be possible to enforce such a law?—We have a long boundary line and sea coast, and it would be impossible.

37338. There was a good deal of smuggling, we understand?—There was a good deal of smuggling across the frontier.

FRANK DICK, of Calgary, license inspector, on being duly sworn, deposed as follows:—

*By Judge McDonald:*

37339. Do you carry on any business now?—I was formerly in the lumber business.

37340. How long have you resided here?—About three years.

37341. Did you come from one of the other provinces?—From the County of Victoria, Ontario. I had been nearly 10 or 11 years in Manitoba before that.

37342. When you came here the license system was in force?—Yes.

37343. Were you the first Inspector appointed for this district after the new law came into force?—Yes.

37344. Taking the old system as you know it and the new system, which is preferable?—The new system.

37345. Have you endeavoured honestly and faithfully to carry out the provisions of the license law?—Yes.

37346. From your experience, can you suggest any improvements in the law or amendments that would be improvements? Yes. For instance: the suggestion by Mayor Lucas to compel bar-rooms to be on a front street and open to view. It might have the effect, however, of causing parties to sell in out-of-the-way places.

37347. But you think that would be a good plan?—Yes.

37348. When you came here was the sale of liquor open? No. I came here in the spring of 1884.

37349. Was liquor then sold?—Yes.

37350. In many places?—I think there were more places in 1884 than there are to-day.

37351. What kind of liquor was sold?—I cannot tell. I should call it bad, even the best of it.

37352. What were the prices charged?—50 cents a drink.

37353. What is the price now?—Two drinks for a quarter.

JAMES WALKER.

37354. At any time before the license system came into force, did the sale become open?—Yes, about two years ago.

37355. Has the number of licensed places increased since the license system came into force?—I think there has been an increase in number.

37356. Are you favourable to prohibition?—Yes.

37357. On principle?—Yes.

37358. Do you think a prohibitory law could be enforced?—I think so, if proper methods were adopted.

37359. Can you suggest any methods. Do you think the steps taken by the Mounted Police were good?—No. The fact is that a man who only receives \$15 a month and his clothing is not suitable for the business, when he can make \$30 or \$40 a month by taking tips.

37360. Do you charge that this has been done by members of the North-west Mounted Police?—Members of the force have told that to me.

37361. From whom would they take tips?—From the liquor men.

37362. It is only fair to the police to state that the weight of testimony everywhere has been that members of the force have faithfully performed their duties and endeavoured to carry out the law?—Recently, at all events, I recollect one policemen telling me of it.

37363. About taking tips?—Yes.

37364. You would require officers who would not be subject to such temptations?—Well paid officers.

37365. In case of the enactment of a general prohibitory law, would you favour the payment of compensation to brewers and distillers for loss of plant and machinery?—Yes.

37366. Suppose you had to choose between a prohibitory law, well enforced, and a license law, which would you consider preferable?—A license law.

*By Rev. Dr. McLeod :*

37367. Did you regard the so-called prohibitory law as prohibition or permission?—It was permission.

37368. What are your duties as Inspector?—In the first place I have to inspect applicants' premises and report to the License Commissioners.

37369. What do you have to find on the premises of any one applying for a license?—If the application is for a hotel license in the town, the applicant is required to have 10 bed-rooms above those required for his own use, a kitchen, a dining-room and the necessary appliances. In a small town, like Anthracite or Banff, seven rooms are required. In a country place, with a population of only three or four hundred, four bed-rooms are required.

37370. Is there any requirement as to the part of the house in which the bar must be situated?—No.

37371. So you do not issue anything like shop licenses, where liquor only is sold?—No.

37372. Have you reason to believe that there is illicit sale in Calgary or in your district?—I do not think there is any in Calgary, but I have heard of cases outside in the country.

37373. Are you supposed to visit all the places in your district particularly?—I only go when I hear anything or get an information in regard to different matters.

37374. It is a large field, and I suppose you could not go over it very often?—It is a large field.

37375. Is it the duty of the police to keep you informed as to any infractions of the law?—I cannot say that it is their duty to do so.

37376. If a policeman should see an infraction of the law, would it not be his duty to inform you?—The police are authorized to enforce the law in the Ordinance.

37377. Are you not the prosecutor?—I am supposed to be so.

35378. You lay the charges, I suppose?—Yes, not but that the police could lay the charges themselves.

37379. There is nothing to prevent them doing so?—No.

37380. Are the police constables in addition to town police?—Yes, all mounted police are constables.

37381. Where they are?—Yes, throughout the North-west Territories.

37382. Do you know anything about the condition of things prior to the license system, when a number of people were licensed to sell liquor for refreshment—I suppose that was a couple of years ago?—Yes. I was in town at that time.

37383. Did you hold any official position then?—No, I had no official knowledge of it.

EDWARD HODDER, of Calgary, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

37384. What is your business or occupation?—I am retired from business.

37385. How long have you resided here?—About six years.

37386. Did you come here from one of the other provinces?—I was formerly in Toronto, but a good part of the time I have lived in England.

37387. Are you an Englishman?—No, a Canadian.

37388. Have you known this country under the permit system or as it was called, the prohibition system?—Yes.

37389. And also the license system, since 1st May last?—Yes.

37390. Which have you found preferable?—I am decidedly in favour of a license system.

37391. Have you emigrants coming here from England?—Yes, to a certain extent.

37392. Do you find the people coming here a sober and law-abiding class?—That is according to my observation. I do not remember having seen any of them drunk.

37393. Are they people many of whom take intoxicating drink in moderation?—I am not in a position to know much about them. They are generally down at the emigrant shed, and as a rule they only stay a day or two.

37394. Taking the country so far as you know it, is there any large class of the population who make use of intoxicating beverages in moderation?—I think the great majority of the people use liquor in moderation.

37395. From your observation, is there much drunkenness in this country, or much in comparison with other communities?—I think Calgary compares favourably with almost any other place I have ever been in. There are certain men who get under the influence of liquor once in a while, for two or three days at a time.

37396. Do you refer to some special time, such as a holiday?—That is with them a holiday.

37397. Taking the residents, do you find them a law-abiding and orderly community?—There never was a more law-abiding community to my knowledge than that of Calgary.

37398. Did you notice that there was much sale of strong beverages going on before the license law came into effect?—A good deal.

37399. In many places?—In a good many more than now.

37400. Have you heard anything as to the quality of the liquor, whether it was good or bad?—There were good and bad liquors. In regard to my own experience, I can say that I took two drinks in the place and they pretty nearly did me up, and I only took those two that day.

37401. Were compounds sold?—Yes; there was an inducement to make compounds.

37402. Why?—Because there was money in it for the compounders.

37403. We have been told that the price of drinks was high in those days?—Yes, so high that at the time of the election, I was offered \$80 for two gallons.

*By Rev. Dr. McLeod :*

37404. Did you take it?—No, I wanted it.

FRANK DICK.



*By Judge McDonald:*

37405. For your own use?—Yes.

37406. Was there much smuggling going on at that time?—I cannot speak from my own experience, but if I can believe what was the common talk here, there was a good deal of it.

37407. We have had evidence of the bringing in of liquor concealed in barrels of sugar and packages of different merchandise. Do you know anything of that?—I have heard of it being done, but I know nothing about it personally.

37408. You have not seen packages opened and liquor detected?—No.

37409. Have you ever considered the question of prohibition as a question of principle?—I have never gone very deeply into it.

37410. Are you favourable to prohibition as a principle?—No.

37411. Do you think it wrong in principle?—Yes. I think it wrong to force any man against his own will.

37412. Supposing such a law were passed, do you think it could be practically enforced?—I doubt it. The inducements are too great for both the manufacture and smuggling of liquor and you will always find people who will have liquor for sale.

37413. In case such a law were passed, would you think it right that brewers and distillers should receive remuneration for their loss of plant and machinery?—Certainly.

*By Rev. Dr. McLeod:*

37414. Why do you think license is preferable to prohibition?—From my own observation I have seen less drunkenness since the license law came into force than there was before.

37415. Do you think there has been less drinking since?—I think there has been less drunkenness. The only way I can account for it is that a man can get a good drink of liquor for less than 50 cents, which he had to pay before.

37416. On that account there is less drunkenness?—I think there is less drunkenness. There are, however, other men who have given evidence on that point who are better authorities, because they live in town, and I live one mile out of town and am seldom in at night.

37417. You have spoken of Calgary as a law-abiding place. Was it a law-abiding place before 1st May last?—Yes. I suppose, however, that there were many infractions of the law in regard to the liquor traffic.

37418. We have been told that there were more places selling then than there are now. You have said you would not think that was an indication of law observance?—No; but since you ask me a question, I must try to remember in regard to outrages, disorderly conduct and drunkenness.

37419. So there was a good deal of that under the old permit system?—There was not a great deal. Of course there were cases, as there are in any community.

37420. Do you attribute them in any degree to the drinking that went on then?—I attribute them to the quality of the liquor they drank.

37421. Rather than to the quantity?—Yes.

37422. Did that old system strike you as prohibitive at all? Not at all, because any man by sending money down to Regina could get liquor.

37423. So it really was not prohibitive?—No.

37424. You have said you are opposed to prohibition on principle. Do you object to the principle of prohibition as applied to the community?—I object to forcing people in cases of that sort, in regard to matters on which they should exercise their own judgment.

37425. Do you think it is well in Calgary in issuing permits to make it a condition that the licensees shut up their places at 10 or 11 o'clock at night?—I think they should be allowed to keep open until the train arrived, which is at a very bad hour just now. I may remark. If they closed at 12 o'clock there would be no harm done, and they would not find fault with that.

37426. On what ground do you justify the prohibition of sale from 12 midnight until 6 in the morning?—On the ground that it is the rule in all communities to have a certain hour to close.

37427. Is not that an interference with a man's liberty?—It would be an inducement for young fellows to stay up all night if the public houses were not closed.

37428. Because it would be an inducement to young fellows to stay up all night drinking, you think it right to prohibit licensees selling after a certain hour?—Yes, after midnight.

37429. If it could be made to appear (I do not say whether it could or not) that the keeping open from 6 a.m. to 12 p.m. was instrumental in keeping a large number of men drinking during the day, would you think those hours injurious?—I do not think so. If I wanted liquor I would get it, whatever the cost.

37430. Owing to the perversity of human nature, I suppose?—Yes.

37431. When a man thinks a thing is prohibited it makes him want to have it, and he is bound to endeavour to get it?—No, but that the man should be left a certain amount of discretion, when a man knows how to use it and not abuse it. I am speaking for myself. I have lived here about three years as a citizen, and no one ever saw me the worse for liquor, except the day I took the two drinks.

37432. So you are able to be a law to yourself in the matter?—Yes.

37433. Do you think every man is able to be a law to himself?—Yes.

37434. Would you lock up habitual drunkards?—A man who cannot take liquor in moderation without making a beast of himself should be out of the world.

37435. So the trade should go on until the end, from generation to generation?—Yes, people will have it, and they will get quicker to the end if they take decocted stuff; it is, of course, only hastening the end.

37436. Do you think there are a large number of people of that kind, taking your observation here and elsewhere?—Not a great number.

37437. Of men who drink at all, some are like yourself, men who can drink a lot at a time and keep themselves under control. But in regard to the men who drink more or less, have you ever observed whether any proportion at any time drink to excess?—Yes, occasionally.

37438. Is it a large percentage?—I may see a man who is a moderate drinker take a little too much once or twice in a year, but as a general thing I think there are ten moderate drinkers to one excessive drinker.

37439. Have you observed whether there is a tendency on the part of those who drink moderately, to drink excessively as years go on?—I do not think so; I do not think it has ever struck me in that light.

37440. You think, however, prohibition of the trade entirely would be an interference with individual liberty?—Yes, I do.

37441. There are people, so it is declared, who regard the trade as a constant temptation to their boys and the weak people of the community. Is it not an interference with their personal rights to have a trade thrust upon them against their will?—I do not quite understand your question.

37442. I understand you to say that men who drink should not have that right interfered with. There are other people, however, who say the drink trade is a menace to all the young people of the community and should be abolished. Have they no rights that should be considered?—I think it is only right that all people selling should be prohibited from selling to minors, if that is what you mean.

37443. Do you know whether the licensees observe that feature of the law, or do they sell to whoever comes along?—I have never seen a minor at a bar; I do not know I ever saw one instance of it.

37444. Have you observed, as a man of leisure, that the drink trade, as established and carried on, has an injurious effect on the people of the community at large and on the business interests of the community?—Do you mean before the license system came into force?

37445. Both before and now?—I think that before license there were individuals who profited very much by the trade. One man of whom I know went into the business without a cent, and after four years in it he left the business with something like \$20,000 profit.

37446. Was that a good thing for the community?—I should say it was a very bad thing.

EDWARD HODDER.

37447. Bad in what way? He got so much of the community's money?—Yes. The liquor he sold did not all come in under permit.

37448. Did the people get anything for their money?—They got very poor value.

37449. Suppose a man is licensed to sell, does he not go in to sell for a profit?—Certainly.

37450. Whether he makes \$20,000 in four years, or if it takes him 10 years to do it, is it a good thing for the community or a bad thing?—If a man sold good liquor and sold it under a legalized system I should say it was a fair business. As it is, I do not think the people always give value for the amount received.

37451. Is this your meaning: That the people who buy liquor when the sale is not licensed do not get value for their money, but the people who buy liquor when the trade is licensed get value for their money?—From all the knowledge I possess liquor is not worth 50 cents a glass; if it comes to that it is not worth  $12\frac{1}{2}$  cents, as is charged now, but there is a good deal between  $12\frac{1}{2}$  and 50 cents.

37452. Then the dealer receives less profit now than he did before?—Yes.

*By Judge McDonald:*

37453. Taking the case of a man making \$20,000 in 20 years under the license law: he makes it because the people under the legalized trade as carried on by him buy that quantity of liquor from him?—Yes.

37454. The question is sometimes asked whether it would not be better if the people put their money into dry goods and so on. Do you think some option should be allowed the people as to what they shall do with their own money, so long as they use it with discretion?—Yes, I think the people have a right to do what they wish with their own money.

37455. Taking the question, then, of public sentiment, you have expressed yourself in favour of licensed houses keeping open during certain hours?—Yes.

37456. Do you think that in this community public sentiment is almost unanimously in favour of closing at particular hours and on Sunday?—I have never gone into the matter since I have been here.

37457. Do you not find that the great weight of public sentiment favours that view?—Yes.

37458. Do you find that the same sentiment exists in regard to closing up altogether?—No.

37459. Do you not think that where you find public sentiment almost uniformly in favor of closing on Sunday and after specified hours, it is easier to enforce such a law than where there is diversity of opinion?—Yes.

37460. Do you know whether there were any compounders who did nothing else but compound liquor?—I cannot speak from experience, but everybody who has been here for any length of time knows that there have been men here who did nothing else.

37461. Do you know any such?—I am not going to run the risk of getting myself into a libel suit, so I will not say.

37462. You know as a fact that such things did take place?—Yes.

37463. Did you refer to the fact that men would send down to Regina and get a permit?—They were rarely refused, except men who were found selling.

37464. Have you any knowledge of the system pursued in Regina in regard to granting permits?—I never was refused one; I wrote and got all I wanted.

37465. Were you well known?—I was not known when I first wrote.

37466. Was your application submitted to other persons who did know you?—I sent to Governor Royal.

37467. We have been told in Regina that the custom was to have legislators examine those applications, and on the strength of their recommendations permits were issued?—I cannot speak as to that, because I simply wrote and asked for a permit indicating so much liquor. Invariably a permit was sent.

37468. And inclosing a certain amount of money for the fee, I suppose?—Yes.

37469. You did not send money as an inducement?—No.

37470. There was no fee paid for ale, I suppose?—I could not say.

37471. When was it that you were offered two gallons of liquor for \$80?—It was immediately after I came here; it was at election time and the town had run dry.

37472. There was no time to send to Regina I suppose?—No.

37473. Was the railway running then?—Yes.

37474. It has been suggested that one reason for the increase in granting permits was that the country was flooded with smuggled liquor?—I suppose it was.

37475. And it was considered better to bring liquor in from our own country in the regular way. Do you know anything in regard to that?—I cannot speak personally, but I am satisfied in my own mind that nine gallons were smuggled at one time.

37476. Was there smuggling when permits were more freely issued?—Yes.

*By Rev. Dr. McLeod:*

37477. Did smuggling decrease after the permits were increased?—I fancy so.

37478. You assume it did, but you do not know?—I do not know.

37479. You think that after license people purchased voluntarily at those licensed places, whereas previously they were compelled to purchase at illicit places?—Certainly.

37480. What was the condition of things when the four per cent plan came into force?—I do not know what you mean.

37481. Was there as much liquor used or more or less?—I think less liquor was smuggled in.

37482. Do you know whether under permits to sell four per cent beer, people sold almost everything?—I think so.

37483. Do you know whether the general sale of spirituous liquors increased after the four per cent permits were issued?—I could not speak as to that.

37484. About what was the usual quantity of liquor asked under a permit?—I always sent for 10 gallons.

37485. You spoke about public sentiment being almost entirely in favour of the prohibition in the license law as to certain hours for sale. Do you know what is the public sentiment in regard to the general prohibition of the trade?—Do you mean total prohibition?

37486. Yes.—I fancy if it were put to a vote it would not carry.

37487. That is your opinion?—Yes.

37488. I understand that it has not been tested in the Territories?—Not that I know of.

37489. Do you think if it were put to the test, and the majority of the people decided in favour of it, that it would be right to try and prohibit the traffic?—I do not think it is proper to interfere with the rights of any citizen, or to dictate as to how a man should spend his money.

37490. So, in any case, you are opposed to prohibition?—Yes.

Hon. CHARLES B. ROULEAU, of Calgary, Justice of the Supreme Court of the North-west Territories, on being duly sworn, deposed as follows:—

*By Judge McDonald:*

37491. How long have you resided in Calgary?—I came here in the spring of 1886. I was at Battleford before that time. I came to the North-west Territories in the fall of 1885, and have been in the Territories for nine years.

37492. I believe you came from the Province of Quebec originally?—Yes.

37493. From what part of Quebec?—I was born at Isle Verte, Green Island, County of Temiscouata. I was educated in Quebec, studied my profession in Montreal, and lived at Aylmer and practised my profession in the County.

37494. When you came here first, the permit system was in force in regard to the use of intoxicating liquors, I believe?—Yes.

EDWARD HODDER.



37495. Speaking as a citizen of the Territories, which have you found preferable, the old system or the license system, which has been in force since 1st May?—I can hardly say much about the new system, because it has only been in force a short time; but so far as Calgary is concerned, I think it works tolerably well. Of course the law wants a little amendment, it could hardly become perfect at once.

37496. Are there amendments which suggest themselves to you thus far?—Not any particular amendments, because I have not read the Act very carefully yet. I have had no occasion to read it very carefully, because only one case was brought before me, which was in regard to the importation of liquor, and that is one point which I have studied.

37497. We understand that at the last session of the Legislature some amendments were proposed, but as the session was hurried there was no opportunity to pass them?—I saw that in the newspapers.

37498. Do you know what was the tenor of the amendments?—I cannot now tell from memory what they were.

37499. From your experience of the permit system, was there much liquor in the Territories for consumption?—When I was living at Battleford I did not think there was a large quantity of liquor imported into the Territories. I suppose there was a good reason for that, because that part of the country was far away from all railway communication and far away from any place from which liquor could be obtained. Anybody who was recommended could get a permit from the Lieutenant-Governor to bring in liquor. The population there was small, but afterwards more people came in and the law was less observed, and large quantities of liquor were illicitly imported into the country.

37500. Do you know whether the people in those days resorted to such compounds as pain-killer, eau de Cologne and Jamaica ginger?—I have no personal knowledge of it, excepting one instance, when I saw some parties making a queer kind of cocktail in the morning. I cannot remember the mixture, but it looked to me not to be ordinary liquor. I think the basis of it was alcohol, and they had some other mixture, including salts, I think, and they took it medicinally they said. Its effect I do not know, and whether it was intoxicating or not I do not know, as I did not taste it. I heard that there were some people who, when they could not get spirituous liquor, resorted to pain-killer and other stuff, including Worcester sauce, but I have never seen any persons taking those compounds.

37501. Taking the second part of your answer in regard to Calgary, we have been told of the decision given by you in regard to the working of the permit system, to which, if you have no objection, I will refer.—I have no objection; my decisions are public.

37502. It was as to the power possessed by any one who brought in liquor under permit to pass it on to another person with the permit, after it had once come into the Territories?—That is correct.

37503. Was that the effect of the decision?—If I bring in liquor under a permit from the Lieutenant-Governor it is legally imported, and it belongs to me, and there is no objection to my giving it to a neighbour or giving a man a bottle if I like, so long as the quantity covered by the permit is not exceeded. It does not make the action illegal or illicit to give the liquor away.

37504. Your decision did not relax the law in regard to barter or sale?—No.

37505. Was your attention called to the fact that search was frequently made through goods with a view to finding liquor concealed in them. Were any appeals made to you in order to restrain search?—No.

37506. Did persons who were searched never appeal to you for injunctions to restrain the police?—I had no experience of that.

37507. As a citizen of Calgary, are you able to say whether before there was a change in the law there was illicit sale going on in the community?—Yes.

37508. We have been told to-day that this has been going on for two years?—Yes. For two years before the license system was adopted liquor was pretty nearly as free as it is now.

37509. We hear that it was sold quite openly?—Yes.

37510. Do you know the quality of the liquor, whether it was pure or adulterated? —As a rule it was pretty good liquor. The people paid so much that they did not care to have second class liquor served to them.

37511. Was the price higher than it is now? —Yes, a great deal. I heard that as high as \$10 was paid for a bottle of brandy.

37512. Have you ever considered the question of the treatment of the persistent drunkard? Although you may not have such men here, you know the kind of man to whom I refer, the man who is constantly before the police court and is sent to jail for a short term, is then released and is soon again before the court. Have you considered whether, in regard to such men, it would be better to put them in some institution for a length of time, with a view to their reformation? —I think when a man is lost to all sense of morality and has not the moral strength to restrain himself, it would be best to send him to some institution where he could get what is commonly called the "gold cure."

37513. You would not have the present system of short terms of imprisonment? —No.

37514. Have you had any opportunity of ascertaining whether the members of the North-west Mounted Police tried to enforce the prohibitory system? —Yes, to a very great extent.

37515. Did they appear to do their duty? —I think so.

37516. If I can judge from the experience of the Commissioner of the force and the Superintendents, they were to a great extent powerless? —Yes.

37517. Did they do their duty so far as they were able? —Yes.

37518. Do you know whether illicit stills prevailed to any great extent? —I do not think so. I only heard of three around this part of the country.

37519. Was smuggling the principal evil? —Yes.

37520. I ask you, as a jurist, what is the effect on a community of having a law on the statute-book which is persistently and flagrantly violated? —It has an evil effect. The first evil effect is this, it brings into this country desperate characters, whisky smugglers, who are not the best part of the population of any country. They make large profits out of the trade and they risk a great deal to bring in the liquor, and of course they are not the kind of citizens we like to see. Since the license system has come into force these parties have disappeared. I believe the prohibitory law was unpopular with the people in this part of the country, so far as I know the feelings of the people, and of course they would not observe it.

37521. Had you very many cases brought before you in connection with that law? —Yes.

37522. Of what kind? —Appeals from convictions by Magistrates.

37523. Have you considered whether it would be right in case of the enactment of a prohibition law for the whole country, that brewers and distillers should receive remuneration for their loss of plant and machinery? —I have not considered that question, because it never entered into my mind that a prohibitory law would be passed for the whole Dominion. I think if such a law were passed, it would be only right that those parties should receive remuneration; but, on the other hand, I have always considered that that law is one of those good things that cannot be enforced. My reason for thinking that is, because a man could manufacture liquor any way in his own house. So I think it is one of the fine theories that are not practicable.

37524. We have had much evidence in the Province of Quebec in regard to the advantage of promoting the use of light wines and ales instead of the heavier liquors? —Yes, I think it would be a good thing if light wines could be introduced into the country. You have an example of their use in France, where the people do not think of drinking water, and the principal use they make of it is for washing purposes. In France the people are most temperate, notwithstanding the fact that they are habitual users of light wines.

37525. Do you think the climatic conditions here might render it difficult to use those liquors here? —Yes.

37526. You would favour the adoption of such a system, if it were possible? —Yes, for a certain class of the people. I do not think, however, that you should deprive the

HON. CHARLES B. ROULEAU.

large majority of the people of what liquor they wish, because the drunkards are such a small minority of the people of the whole Dominion that they are hardly worth speaking of. For instance, in this community with a population of 4,000 people, roughly speaking, I do not know now of one habitual drunkard; there may be one or two in the town, but I do not know of them.

37527. Taking your experience as a whole, of the town and your knowledge of this section, do you believe that a very small minority of those who use liquors use them to excess?—I believe so.

37528. Have you had any experience of a prohibitory law in any other country?—I have seen it in Vermont, but it was not a success. We could get all the liquor we wanted.

37529. You spoke of some appeals coming before you: of what nature were they?—They were appeals from convictions.

37530. For having liquor to sell or for selling liquor?—Probably for having liquor in their possession. There was a difference of opinion and the Justices of the Peace thought their opinion was right, and I thought my opinion was better.

37531. Your opinion prevailed?—Yes, and they had to amend the law to suit their own way of interpreting it. They had been enforcing the law contrary to its real meaning. There had been strictness on their part and on the part of the Magistrates in trying to enforce the law, but they might have enforced it in a simpler manner.

37532. You say there was strictness on their part?—Yes, they had been very strict so far as they went, but I thought they would have enforced the law with more effect if they had arrested parties for selling the liquor. That is a very simple matter, for a man selling liquor over a bar could be arrested. It is, moreover, easier to prove such a case, but in regard to having liquor in possession it is very difficult to prove it, for when a man produces a permit and says he has liquor in his possession legally, it is difficult to make out a case.

37533. We find there was a great increase in the quantity of liquor coming into the Territories of late years, and it has been suggested that owing to this fact, the permit system was extended so as to bring in liquor legally and get rid of the smuggled liquor?—I have no personal knowledge in regard to that matter, and the only opinion I have is from what I have heard.

37534. Have you ever had any case before you that involved the search of person and domicile by the police under the prohibitory regulations?—No such case came before me for investigation that I remember.

*By Rev. Dr McLeod:*

37535. I think you said that in the early days prohibition was fairly well enforced?—Yes.

37536. And in the later years there was more liquor consumed?—Yes; the population grew larger, and it was more difficult to enforce the law.

37537. Was it attributable in any degree to the number of permits issued?—No, I think it was due to the large increase in the population. Of course with a large increase of population, there would be a large increase in the number of permits issued, because when the Lieutenant-Governor knew a man personally he granted him a permit.

37538. In 1883 when you came to the Territories the quantity of liquor entering by permit was 6,736 gallons and in 1886, three years afterwards, the quantity had increased to 20,564 gallons, or something like three times as much as in 1883. Was there an increase in the population in the same ratio?—Yes, and more than four times, because the railway came to the mountains in 1883, and it went through in 1884, I think. So that three years afterwards the railway got into running order, and there was three or four times as large a population as there was before.

37539. Did you notice any difference after the introduction of the four per cent beer—I refer to an increase in drinking?—No, I cannot say that I remember any great difference.

37540. In 1887, under the four per cent plan, there were 151,429 gallons permitted?—That included beer, of course.



37541. A good quantity of beer, and there was an increase also in the quantity of spirits permitted to come in?—Yes?

37542. Comparing the time after the four per cent beer was permitted with the years preceding it, did you observe whether there was an increase in the consumption of liquor and an increase in the effects of liquor?—It is pretty hard to say, because the population was increasing so fast. You cannot easily keep track of those matters unless you make a particular study of them.

37543. Prior to the license system, which came into operation on 1st May last, we have been told here that the town of Calgary actually issued licenses to a number of persons in the face of the permit system. Do you know anything about that?—They were not licensed to sell liquor.

37544. They were licensed, to do what?—They were licensed to keep saloons. They were allowed to sell what were called temperance drinks.

37545. That suggests another question: Do you know whether they sold other than temperance drinks?—That is hard for me to say. I know one or two cases were brought before me in which the parties were charged with selling spirituous liquors, and they pleaded.

37546. What did they plead?—I could not tell you the particulars of the cases; they occurred two or three years ago.

37547. When they were brought before you charged with selling without permit, were they able to produce stubs of permits and thus protect themselves from penalties?—They could not do that because the Lieutenant-Governor never allowed them to sell, I mean to sell spirituous liquors; as a rule they were brought before me for having liquor in their possession.

37548. Then it was not possible to prove that they sold the liquor?—They were not accused of selling.

37549. Has a man a right to sell liquor and then produce a stub as his justification on a charge of selling liquor on his permit?—There never was such a case.

37550. Do you know, from your general knowledge, that men who had municipal licenses did really sell spirituous liquors?—I heard it, but I do not know it personally.

37551. Comparing the three systems that have been in operation, the early permit system, then the four per cent beer system, and now the license system, which is preferable in your opinion?—So far as I am concerned, I would rather see the trade restricted, and regulated by law, and I prefer a license system.

37552. You have already stated that the license law has been so short a time in operation that you have not been able to form a judgment in regard to it.—So far as regards the Province of Quebec, I know it worked pretty well, and you can make it as strict as you please.

37553. Do you regard the old system as a prohibition system or as a permit system?—I think it was neither a fish nor a bird. I do not know what to call it. It was prohibition to a certain class of the population.

37554. So it really could not be regarded as out and out prohibition?—It was not a real prohibition system.

37555. I notice that Commissioner Herchmer in his report for 1889, referring to the liquor traffic in the Territories, said: "The permit system should be done away with, if the law is to be enforced." By which I understand him to mean that permits were issued (although he does not say so) indiscriminately, "that made the system of prohibition impracticable." Have you observed that?—No, I did not think of that, because in 1889, I was living here at the time, and I know as a fact that liquor was very freely imported. The Lieutenant-Governor after a time refused to issue permits.

37556. It has been stated by some witnesses that smuggling was facilitated and made safe by the permit system, that if a man had a permit for five gallons he held the stub; that if a further quantity was smuggled in, and if he was accused of having liquor in his possession, all he had to do was to produce the stub, and so long as the quantity did not exceed the specified amount he was safe?—The difficulty was this, that the permits did not specify the time which the man might hold the liquor in his possession. If I had liquor in my possession I did not find it necessary, as some parties did,

HON. CHARLES B. ROULEAU.



to drink it all at once. I kept it for one or two years, and it would always be covered by the permit; and later on the rule was adopted by which every time a permit was filled the permit itself must be returned and be cancelled and all the man would retain would be the stub.

37557. Was that lately?—No, it was a pretty long time ago. When a man wanted to make it appear that he had a permit he would refer to the stub. If the permit was not cancelled, the man would send back for any other supply.

37558. You spoke about the "gold cure" and appeared to think that it would be a better way of dealing with inebriates?—Yes, from what I have seen of the results it is a perfect cure. I have known 10 or 12 men who were advanced in the alcoholic disease and they were practically cured.

37559. Do you think it is wise for the Government to permit a traffic that requires such institutions to be maintained?—By taking proper care of inebriates I think the Government would be acting wisely.

37560. You have spoken of the condition of affairs in France?—Yes.

37561. Have you, from your reading or observation, observed that there has been an increase in the use of alcoholic liquors in France during the past few years?—I have heard so.

37562. It has been officially stated that there has been such increase?—Yes, I have seen it stated.

37563. If the people were not able to get wine would they resort to other compounds?—In my opinion people always want stimulants.

37564. Are there not some who do not want them?—It depends a good deal on the constitution of the parties and their former habits, and there are a great many matters to be taken into consideration.

37565. You are Judge of the Supreme Court, and have to deal with the graver crimes committed in your district?—Yes.

37566. Have you, during your professional career at the Bar and on the Bench, observed whether any percentage of the serious crimes coming before you are attributable, directly or indirectly, to the drink habit?—My experience has been contrary to that. My experience is that the graver crimes, with which I have had to do, have not been attributable at all to liquor. A great many small cases might be so attributable, but my experience in these Territories and in the east is quite contrary to that.

*By Judge McDonald:*

37567. In regard to the use of wine in France. If the use of wine has developed a desire for alcohol, that is now said to be more prevalent than formerly, would not you have expected it to have developed centuries ago?—Yes.

37568. This use of light wines in France is not a thing of recent years, I suppose?—No, it has been continued for centuries.

A. ROSS CUTHBERT, of Calgary, Inspector of the North-west Mounted Police, on being duly sworn, deposed as follows:—

*By Judge McDonald:*

37569. How long have you resided in the Territories?—Since the summer of 1885.

37570. Did you come here in connection with the police force?—Yes.

37571. Have you been stationed at any other places than Calgary?—I was four years at Prince Albert, about one year at Regina and the rest of the time here.

37572. From which of the provinces did you come?—From Quebec, the County of Berthier.

37573. I suppose, in the discharge of your official duties, you have had to deal with the prohibitory or permit law?—Yes, it has been one of the many duties which the Mounted Police have had to discharge.

37574. So far as your experience extends have the Mounted Police endeavoured faithfully to carry out the duties committed to them?—Yes, as a body they have.

37575. Have you found it very difficult to do so?—Yes, very difficult.

37576. Have you found many difficulties in the way of preventing people bringing in liquor?—Yes.

37577. Please give the Commissioners your experience as regards those difficulties?—Of course in great many cases those matters have been reported to me as an officer. Personally, I have had no special experience, except in regard to destroying seized liquors which had been found in all manner of goods and packed in all kinds of ways.

37578. In what way was the liquor packed?—Some liquor was found packed in piano and organ cases, also in barrels of apples, and sugar and rice.

37579. Have you reason to believe that all the liquor so packed and sent into the country was detected?—No, only a very small percentage was detected I fancy.

37580. Had you occasion to deal with people who were misusing permits, that is to say, permits that had run out?—Yes, especially in Calgary.

37581. In that way was there trouble here?—When a case was brought up for trial under the statute almost invariably the party produced a permit to cover the liquor, the permit not necessarily in his own name, but one used by another person and which covered the same quantity.

37582. Were the liquors seized for being exposed for sale?—They were seized for being in possession of the parties. It was very difficult to get a case of selling, because it was difficult to get anybody to buy a drink and then inform.

37583. Have you found, in the discharge of your duties, that in those cases there was a great deal of perjury committed, more so than in other cases?—Yes, very much more so. A man hardly considered it any offence to lie in the whisky cases.

37584. Have you found, in your experience, that there were people who used Jamaica ginger, pain-killer and substances of that kind for beverage purposes?—Yes, and red ink and methylated spirits, also the contents of fire hand grenades and almost everything that would intoxicate.

37585. Those are cases that came under your own personal knowledge, I suppose?—They occurred at Prince Albert.

37586. It has been suggested that only old toppers could use such compounds. Was it your experience that the use of such articles was confined to that class?—Very much so; but, of course, Jamaica ginger was considered one of the very best drinks next to liquor itself.

37587. Then its use was not confined to the old toper class?—Not altogether.

37588. Do you know of the drink in Prince Albert called Moka?—I have heard of it. It was spoken of as an intoxicating drink, but I never had any experience of it.

37589. Were you here at the time the cargo of barrels labelled "four per cent beer" was seized and found to contain spirituous liquors, which were destroyed?—No, I do not remember. I was not here at the time.

37590. Latterly, before the license law came into operation, there were a great many permits for 20 gallons, and beer came in in barrels containing bottles of beer at both ends and whisky in the centre, which came under beer permits?—Yes, and bottles of aerated water came in, and between them were bottles containing spirituous liquors.

37591. Judging from your experience, do you think it is practicable to thoroughly enforce a prohibitory law?—I do not, unless public opinion became more in favour of it, and that seems to be an utter impossibility.

37592. Have you found that feeling prevailing over the country at large?—Yes, altogether.

37593. You have lived in communities where the license law was in force and where sale was not permitted on Sunday and during certain hours?—Yes.

37594. Did you find public sentiment in favour of such prohibition?—Yes; but in a great many cases the law was not carried out.

37595. Then the people backed the law?—Yes, there was a greater feeling in favour of carrying out that law.

37596. Do you find the same feeling prevailing in the Territories in regard to total prohibition?—No, there is not.

A. ROSS CUTHBERT.

37597. Were you troubled with illicit stills at all?—Yes, there were three or four illicit stills in this district.

37598. What did they use for the purpose of distillation?—It was very hard to tell. They had not been in recent use. In one or two corn was found. I know that whisky was made from potato peelings.

37599. Where spirituous liquors were sold, had you any reason to believe they were adulterated?—Of course there was a difference in quality, but I had no means of knowing whether they were adulterated or not.

37600. So far as your knowledge goes and so far as your experiences as an officer of the North-west Mounted Police force goes, has that force, as a body, honestly and truly endeavoured to carry out its duties?—Yes, to the best of my knowledge. There have been a few exceptions. The temptations have been great for men placed in responsible positions, and in regard to a few individuals we had reason to believe afterwards that they had yielded, as their duties could have been more satisfactorily done. But, as a general rule members of the force faithfully carried out their duties and the law was endeavoured to be enforced.

37601. Had you any cases where domiciliary search was made?—Yes, and search of persons.

37602. That became necessary in some cases, I suppose?—Yes.

37603. And it was carried out?—Yes.

37604. I suppose, in some of the cases of visiting houses, the men did the duty because it was laid on them to do so?—I have no knowledge of any other influence making the men do so except the sense of duty.

37605. You found it to be a disagreeable duty, I suppose?—Yes.

37606. But you found the men, as a body, faithfully doing their duty?—Yes.

*By Rev. Dr. McLeod :*

37607. Do I understand that the permits increased the difficulties of the police in enforcing the law?—Very much so.

37608. Do you regard the system as a system of prohibition or rather of permission?—It was a system of permission.

37609. Have you ever had much trouble on account of the drinking habits of the men under your charge?—Yes. It has been one of the greatest difficulties with the force. Of course the men occupy positions in which temptations have been placed in their way, probably such temptations as are not placed in the way of other men.

37610. I suppose there is a canteen to each station?—Latterly there has been.

37611. How recently were the canteens established?—It was established three or four years ago.

37612. What was the object of their establishment?—To keep the men out of trouble in the towns.

37613. And was it to prevent their getting liquor?—No, but to give them amusement and pastime in the barracks.

37614. I suppose liquor is sold there?—There is the sale of beer.

37615. Only beer?—Yes.

37616. No spirituous liquors are allowed?—No.

37617. Have you reason to believe that the constables have frequented where liquors were sold?—Cases never came under my notice. It is probable that there have been such cases, but they have never come under my notice.

37618. Could the men get drink by permit?—The men could in a great many cases get liquor from people who were interested in the traffic and would take that means of bribing them.

37619. Then they did get liquor from men in the illicit trade?—For the most part from saloon-keepers.

37620. Do you think there would be a tendency to make the force less vigilant than they would have been?—Yes.

37621. It has been stated that the men would wink at offences and in that way would greatly increase their pay, because they would be tipped for doing so. Do you think that charge is, to some extent correct?—I think it is correct, because one man who



was on duty in Calgary before the license law came into force, told men that it was worth \$1,800 a year for a man stationed there not to do his duty.

37622. That would be a very strong temptation I suppose?—Yes, especially for a man who only gets \$13 a month, unless he was of very good metal and resisted.

37623. Then he would have to be something over the ordinary average man?—Yes. Because he expected to be only a few years in the force and he could carry this on without being found out.

37624. Do you think that this state of things prevailed over the Territories and that it interfered with the rigid enforcement of the law?—Yes, in a few cases.

37625. Take the last year or two in Calgary before the license law came into operation: we understand there were licenses to sell liquid refreshments granted to 10 or 20 persons who were supposed to sell at the same time spirituous liquors and intoxicants. Do you know whether members of the force were in the habit of prosecuting those places?—I do not know that they were generally prosecuted, but some were, no doubt.

37626. Were complaints made by the officers against those dealers for illicit selling?—It was very difficult to get information on which to base a complaint, because men who were brought up for being drunk would never say where they got the liquor; they could not be forced to tell.

37627. I suppose the officers looked out for infringements of the law in Calgary as well as elsewhere?—Yes.

37628. Were there many cases of infringement brought to the attention of the officers?—A great many.

37629. Those were prosecuted and penalties imposed?—Always.

37630. Were there many cases of convictions in Calgary during the time that liquid refreshments were allowed?—There were a great many.

37631. It has been suggested, and, perhaps, you, as an officer having to deal with such matters, have some knowledge of it, that when a man was prosecuted for having liquor in his possession, before the case would proceed to trial, the man charged with the offence would send to Regina for a permit, which would be dated subsequent to the seizure. Do you know of such cases?—No cases of that kind came under my own personal attention, but I have heard of such things being done.

37632. Of course it was very difficult to enforce the law when such things occurred?—Yes.

*By Judge McDonald:*

37633. In regard to the permit, did you mean that it would be dated after the seizure?—The permit was dated at the time of the seizure.

37634. What evidence was there that the liquor was subsequently obtained?—Simply because there was no production of the permit at the time the seizure took place.

37635. So that permit was antedated?—I never examined into the matter very closely, but it must have been antedated for the man to cover the liquor by it.

*By Rev. Dr. McLeod:*

37636. I suppose, if the man had liquor seized and had a permit, he would produce it immediately?—Yes.

37637. The fact that he produced the permit only some days after was very strong evidence that he procured it latterly?—Yes. In a great many cases the permit was produced some days afterwards by the man going round collecting old permits to cover the liquor.

*By Judge McDonald:*

37638. We have been told that a legal decision was given that so long as the liquor was not for barter and sale, it could be passed from one man to another?—Yes.

*By Rev. Dr. McLeod:*

37639. So when a man smuggled liquor he could borrow a permit or procure one to stand between him and conviction?—Yes.

A. ROSS CUTHBERT.



*By Judge McDonald:*

37640. Was there much of that done?—Yes.

37641. There is a charge made of the abuse of the permit system, by which a man got a permit contrary to the spirit if not the letter of the law. If the system had been observed, would there have been any liquor smuggling in sugar barrels and the like?—Yes, but not to the same extent. When the legal decision had been given that any permit could cover a given quantity of liquor, then it was that permits were issued more extensively. Before that time liquor was smuggled more.

37642. Was there not, after the introduction of the four per cent beer plan, a great deal of smuggling?—Yes; there has been continuously a great deal of smuggling and large quantities of liquor have come in on the cars.

37643. No less than 153,000 gallons were covered by permit in 1890. Would that, in any degree, cover the quantity brought into the Territories? By no means.

37644. Then there was a large quantity smuggled?—Yes. I have a case in which a man was informed against for having liquor in his possession and who, during the same day, produced permits for double the quantity he had—permits that he had collected during the day. Some of those permits were for liquor obtained a year before. It was too absurd to pass over, so the permits were returned as not covering the liquor.

37645. We have been told that latterly the stubs were collected and cancelled?—Latterly they were.

37646. We have been told that when a man got a permit the stub would be left with him for his protection and the permit would be sent to the seller. The Express Company required the permit which was afterwards cancelled, but the man retained the stub and could use it afterwards and justify his being in possession of liquor?—It may have been done in some localities, but I do not know of it being done here.

37647. We have been told that during the last two years there has been illicit sale carried on here?—Yes.

37648. In several places?—Yes.

37649. And the action taken recently was simply licensing what was before illegal?—Yes. There was sale, and we were not able to get hold of the offenders. It was difficult to get information sufficient to obtain convictions, and this difficulty prevailed in a great many cases which would otherwise have been proceeded against.

37650. You have spoken of temptations in the way of your men that were not in the way of other men?—Yes. The saloon-keeper knows that a mounted policeman's duty is to catch him if he can, and he will try to get the policeman on his side by some means or other.

37651. You think that only in a limited number of cases they succeeded?—Yes.

*By Rev. Dr. McLeod:*

37652. You were not aware of any period when the stubs were cancelled?—No, I am not aware of any period when the stubs were cancelled.

ARTHUR SIFTON, of Calgary, barrister, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

37653. We understand you hold an official position ?—Yes, I do at present.

37654. What is it ?—I am Town Solicitor.

37655. Are you appointed by the Town Council ?—Yes.

37656. What are your duties ?—My duties are to conduct suits on behalf of the Corporation, draw up by-laws, attend to infractions of those by-laws and advise the Council.

37657. How long have you lived in the North-west Territories ?—Since 1885, with the exception of one year I spent in California.

37658. Have you resided in Calgary all that time ?—No. I was two and one-half years at Prince Albert.

37659. How long have you held the position of Town Solicitor ?—Two months.

37660. Did you come from Ontario originally ?—I came from Manitoba to the Territories, but I came from Ontario in 1875.

37661. From what county ?—From Middlesex.

37662. Speaking in your official capacity, how do you find the license system to work. Are there any amendments you can suggest in regard to it ?—Yes, there are a number of amendments desirable.

37663. We should be glad to hear them stated ?—I think those suggested by the Mayor this morning, and by the Chief of Police, would be, to a certain extent, improvements, namely, to have open bar-rooms fronting the street and with no screens at windows. I think in regard to the wholesale license issued the quantity allowed to be sold is entirely too small, and besides the party is allowed to keep open on Saturday night after the hotels are closed.

37664. They are allowed to keep open up to what hours ?—Up to 11 o'clock.

37665. Are they allowed to sell groceries in connection with liquors ?—No, only liquors.

37666. What evil do you think the permission to keep open causes ?—The working-men are in the habit of purchasing bottles of liquor and taking it home with them, whereas it would probably be better if they could only get it by the glass.

37667. Have you any other suggestions to offer. In some places it has been suggested that inspection of liquors would be desirable ?—I do not think that would make any particular difference.

37668. What do you think in regard to the number of licenses that should be allowed. Take Calgary, for instance : is the number reasonable ?—If houses are to be licensed I think the number is a fair one for this town. I do not think the number of hotels is in excess of the number required. We have a floating population and require a good deal of hotel accommodation.

37669. Do you think the restaurants are required for the sale of liquor ?—I do not think they are.

37670. Do you think the restaurants should be required to close at the same time as the hotels. Are they obliged to do so ?—No.

37671. How long can they keep open ?—I have never paid any attention to restaurants.

37672. According to your experience if it was necessary to do away with the saloon bar and the hotel bar, which would it be better to get rid of ?—Personally I think the hotel bar does more harm in regard to leading people to drink, that is people who are obliged to go there on business.

37673. You think the hotel bar is more injurious ?—Yes, in regard to leading away people who do not wish to drink.

37674. Then if either had to be dispensed with, which would you dispense with ?—The hotel bar.

37675. Would you dispense with both ?—Yes.

ARTHUR SIFTON.

37676. Are you favourable to prohibition as a principle?—Yes. That is only considering it from my own standpoint, as a moral question. Legally, I believe in people having whatever they want—that is to say whatever the majority desire.

37677. Then you would not believe in prohibition by law?—Yes, if the majority of the people were in favour of it. I believe it should be left entirely to the people's wishes to decide the question by a majority.

37678. Then you think, if the majority of the people were in favour of it, it should be enacted?—Yes.

37679. Do you think it would be practicable?—Yes.

37680. Do you think it could be enforced?—Yes.

37681. You have heard the evidence given by the officers of the North-west Mounted Police as to the difficulties they had in regard to enforcing the prohibitory law in the Territories?—Yes.

37682. Looking at their account, and taking the country as a whole, you still think that prohibition could be enforced?—Yes.

37683. What means would you suggest of enforcing it?—I think if the Magistrates appointed to enforce it, and the justices before whom the cases came, were in favour of the enforcement of a prohibitory law, and the law was properly drawn, it could be enforced with the number of men we have at present, or with a less number.

37684. Do I understand you to say that the judiciary of the country will follow their own feelings, they not being in favour of the law, in deciding legal questions that come before them?—No, I do not say so.

37685. You said if you had a judiciary in favour of the enforcement of the law?—Yes, I was referring more generally to the Magistrates.

37686. It has generally been conceded that the judiciary of this country never allow themselves to be influenced by those sentiments in the administration of the law?—I do not say they do. But take the evidence of Inspector Cuthbert. He said the decisions of the court went a long way in preventing them from enforcing the law. I do not mean that the decision of the court was wrong or that the members of the court were wrongly influenced, but the court did hold that the law was not as it was supposed to be.

37687. Do you mean to say that the court was wrong?—No. I mean to say it was not a prohibitory law.

37688. How do you propose to strengthen the action of the judiciary upon the question: is it not the duty of the judiciary to decide all principles?—Certainly.

37689. That being the case, it is not the appointment of Magistrates and Judges who were favourable or unfavourable to the law that would influence the decisions?—The appointment of Magistrates would have a great deal to do with the matter.

37690. Magistrates of what kind?—Ordinary Justices of the Peace.

37691. Have you not those now?—We have a great many of them.

37692. Would you propose to select Justices of a different kind in order to carry out a prohibitory law?—I would.

37693. Would you select men who were favourable to the law?—No, but I would be very careful to get good men.

37694. Are the authorities not careful now?—They are not always careful. It must, however, be remembered that these Magistrates act to a large extent without pay, and it is of course difficult to get good men who are competent to devote the necessary time to the work without being paid for it.

37695. Is there anything to prevent the appointment of a Stipendiary Magistrate?—I think that would be proper.

37696. Are you acquainted with the Irish Constabulary, which, as you know, is a picked force. Would that force be such a force as you have in view?—To a certain extent, something similar to that. I believe for the enforcement of all laws, Stipendiary Magistrates are proper judicial officers to appoint. We have great difficulty in all cases that are before ordinary Magistrates, who have no time to devote to them.

37697. Would you hope to enforce a prohibitory law under such conditions as you have spoken of?—Yes.

37698. You think it would be practicable and advisable?—Yes.

37699. Do you think it would be advisable for the Territories as a whole?—For the Dominion as a whole.

37700. And for the Territories?—Yes. But I want nothing except national prohibition.

37701. If you could not get general prohibition, would you not take prohibition for the Territories?—I do not think I would.

37702. Have you had any opportunity of forming an opinion as to the sentiment of the community as a whole on this subject?—I find the sentiment in this part of the Territories, and particularly outside of the towns of the southern country to be a great deal more in favour of prohibition than is the sentiment in the towns, especially in Calgary.

37703. Do you not find the sentiment in towns as favourable to general prohibition as in the country?—No.

37704. Outside the towns, is the sentiment favourable to it?—Yes.

37705. Can you account for a Legislature fresh from the people enacting a license law unless the members were acting in accordance with popular sentiment?—Yes, I can to a certain extent. There were other questions before the people at the time the last Legislature was elected. We elected two men in this district by acclamation without contest.

37706. Were they both license men?—Yes. While there were a great number of prohibitionists in this district there was not a sufficient number who thought it was an important matter to elect a candidate in opposition to those men; they were considering other matters that were of larger importance.

37707. So the entire prohibitionists in Calgary did not attempt to carry out prohibition?—No.

37708. Was that the case in the whole country?—With the exception of one or two districts: in Assiniboia it was the case.

37709. And the Legislature passed a license law?—Yes.

37710. Did the candidates to whom you have referred, profess to be in favour of a license law?—Yes, we all knew they were in favour of a license law.

37711. But owing to the fact that they were in accordance with the people's wishes on other questions, they voted for them?—Yes.

37712. Was no effort made to elect a prohibition candidate?—No. Those men had both been members of the House before, and had advanced the principles that the people wanted to have advanced, and so they voted for them.

37713. And yet the weight of sentiment in this direction was for prohibition?—I do not think it was in this district.

37714. Would the town overrule the district?—Yes, I think that the whole district of Calgary is against prohibition.

37715. Are you able to speak personally of other districts, of the choice of candidates they made?—The same difficulty prevailed in regard to other districts and for similar reasons. There were other very important matters before the people. Our people have only enjoyed representative government these last few years, and all the members had been in the House during that time with the exception of four or five.

37716. In the case of the passage of a general prohibitory law, a law prohibiting the manufacture, importation and sale of intoxicating liquors for beverage purposes, do you think it would be right that brewers and distillers should receive compensation for their loss of plant and machinery?—I have never considered that question very much, and I do not think it would make very much difference; but since you have asked the question to-day I have been thinking of it, and my opinion is that it would be right that compensation should be made for such machinery as would be rendered truly useless.

37717. You understand that by statute or by departmental regulations they are obliged to provide certain kinds of machinery which is liable to be changed from time to time, and that they are compelled to keep their spirits two or three years for rectification purposes?—I know that.

37718. You think if a general prohibitory law was passed, they should be compensated?—Yes.

ARTHUR SIFTON.



37719. What is your opinion of the community as compared with communities in other places ; is it a sober and quiet one?—It compares well with eastern communities. Of course we have a floating population at times that is greater than they have in eastern communities of the same size, but our resident people will compare favourably with people in other communities.

37720. It has been stated that there have been more cases of drunkenness since the license law came into force ; but, taking all in all, is any percentage of the people who drink and get drunk non-residents?—Some of them.

37721. People who have just come into town?—Yes, but some of them have been people who have been here some little time. In regard to that matter the Chief of Police was asked the question, and he did not seem to know. We looked over the books this morning, and I found that since the license law came into operation there have been 136 arrests for all offences. Of that number 102 have been for drunkenness. These have been during the six months the law has been in force. For the corresponding six months before, there were 60 arrests for all offences and 33 were for cases of drunkenness or vagrancy.

*By Rev. Dr. McLeod :*

37722. Do you understand that the difference in the number of arrests during the six months since the license law has been in operation and the six months preceding indicates a difference in the town owing to a change of the liquor system?—I think it does, although I will not go so far as to say that it indicates that more people drink. It indicates a difference in the appearance of the town, in the streets, because we had the same police force during the different periods. I may explain that I think probably part of the reason would be that under the other system those selling liquor would exercise, perhaps, a little more caution as to looking after men who got drunk and not letting them go on the streets in a state of intoxication.

37723. You mean they kept them out of sight?—That would account for part of that at least.

37724. One hundred and two drunks are the figures. Of the other 34 cases, do you know whether any proportion of them were charged with offences due directly or indirectly to the drink traffic?—The greater proportion of them were houses of ill-fame.

37725. They were not charged with selling liquor, but with being disorderly?—For violation of the town by-law.

37726. Are there many such places in town?—There are not at present. There have been considerable efforts made lately to weed them out.

37727. Then the number 34 would not represent that number of places?—No.

37728. So practically we understand that the 136 cases that came up before the police court during the last six months had more or less connection with the drink trade and the drink habit?—Yes, with very few exceptions. During the other period there were 60 arrests during the six months.

37729. Do you know if there were any, and if so, how many, habitual drinkers in the town?—I do not think there are many.

37730. Of course the question might arise as to the definition of a habitual drinker? I am taking the records as they come before the Police Court.

37731. Of the 102 cases of drunkenness, would very many be repeaters?—Very few.

37732. Have there been many prosecutions for violation of the license law?—No, I do not think there have been many in the town since the law came into operation.

37733. Are we to understand that there have been no infractions of the law?—If you mean illicit sale by licensees, I do not think so, or at all events there have been no prosecutions instituted.

37734. Are you able to say, from your own observation, and from what you have heard, whether there have been infractions of the law by licensees?—I have been told that there was sale of liquor during prohibited hours.

37735. Do you know why the officers did not prosecute the offenders?—Because it was difficult to get evidence.

37736. Did you find it difficult to get witnesses who would tell the truth?—Yes.

37737. They all know the Inspector, and while he is around I suppose there are no infractions of the law ; but he cannot watch 15 places all the time?—They all know him.

37738. Do the town officers do anything to enforce the law, or is the whole duty left to the Inspector?—It has all been left to the Inspector. I do not know that there have been any special instructions, outside of what the law itself contains, given to any one.

37739. Have you reason to believe that there is illicit sale by persons not authorized to sell?—I do not know that there is to any extent, except by houses of ill-fame.

37740. Are any licensed to sell liquor?—No.

37741. Under the old system, I mean that system of selling liquid refreshments under license, was there reason to believe that liquor was sold freely at that time?—Yes.

37742. I mean intoxicants?—Quite freely.

37743. Was no notice taken of it?—Very little.

37744. Was any special notice taken of it by the Mounted Police?—I do not remember any case of selling which the Mounted Police brought during the last year or so before the license law came into force. In regard to this matter I may say that my opinion is that a law against selling which allows men to have liquor in their possession is non-enforceable anywhere, and that so long as they are allowed to have it in their possession it cannot be enforced.

37745. Then you are not aware that much effort was made to enforce the law against selling during the last year or so?—No. I have seen policemen themselves go in and drink.

37746. And no prosecutions followed?—Yes.

37747. Do you regard that system as a prohibition system?—No, I do not. I think it was intended to be so when it was first introduced, but the granting of permits was left optional with the Lieutenant-Governor, and the extent to which they were granted depended entirely upon the Governor and on what his ideas were respecting the law, as to whether the law, as a prohibitory law, should be prohibitory or not.

37748. It all amounted to this practically: that instead of having a Board of Commissioners for the Territories appointed to grant permits, the whole matter was left to the control of the Governor, and he could grant permits to whomsoever he chose?—Practically that was the effect of it in the late years.

37749. Does your opinion concur with the opinion expressed by Commissioner Herchmer and Inspector Cuthbert, that the issue of permits made it so difficult to enforce the law that it was impossible to enforce the prohibition part of the Act?—Yes. I have known of instances where men have obtained permits regularly and transferred them to parties who were engaged in the business of selling. I was informed by one man that he had got a permit for five gallons almost every month, and he had invariably sent it as he received it to a man who was in the habit of selling liquor. He would keep a bottle or so and give the man the rest. I have known a number of cases of that kind where permits were issued in that way and the stubs secured him so long as he had not a larger quantity in his possession than was specified.

37750. Speaking about the last election of members to the Legislature, was the question of granting permits *versus* prohibition the chief question of that election?—I do not think so.

37751. Was it a chief issue?—I do not think so, certainly not in this district and not in Alberta district. I may say in regard to that matter that in the northern portion of this district, in fact in the portion of the district referred to in the extract read by the Judge this morning, and also referred to by the writer as being a district in which nine out of ten of the people were drinkers, a strong license man was elected.

37752. Was he elected on that issue?—No, he was elected for the same reason that men are elected here.

37753. Was it because the people were interested in the question as to whether a license law should be enacted or not; or was it because they were tired of the permit system?—It was because the system as it had been carried out had made the law obsolete, so that the generality of the people, even those who had been in favour of prohibition, thought that if they could not have the law enforced, it would be much better to have a license system, by which they would obtain some revenue from the trade and have a certain amount of control over it.

ARTHUR SIFTON.

37754. Do you think it was not a decision in favour of license against prohibition but one in favour of license against unenforced prohibition and the permit system ?—Yes.

37755. Have you knowledge sufficient to express an opinion as to what would have been the result if a plebiscite had been taken in the North-west Territories ?—In the district of Saskatchewan I think prohibition would have carried by a considerable majority. In Assiniboia the same result would have been seen as in Saskatchewan, and in Alberta the vote would have been the other way.

37756. Strongly so ?—No, I do not think so, taking the whole district altogether.

*By Judge McDonald:*

37757. The extract I read this morning does not refer to any particular part of the country ?—Mr. Lucas said it was the section he went through.

JUDGE McDONALD re-read the extract from which he had quoted.

37758. Would he not probably be correct as to the people the writer met when travelling ?—I think he was away out on that.

37759. Have you had any opportunity of knowing the opinion of the people of Assiniboia ?—I lived there two years and a half and travelled very generally through the country on election campaigns and similar matters.

37760. Who are their representatives in the Legislature ?—I could not say, I think they are all license men and drinkers.

37761. Can you account for your statement that in your opinion prohibition would have been carried on a plebiscite in Assiniboia, when the people elected as their representatives are drinkers and in favour of a license law ?—Yes.

37762. How would you account for it ?—It is on account of the people in those Territories allowing their political prejudices to override their opinion in regard to moral questions, and to vote according to their political prejudices, without considering these moral questions. For instance, look at Manitoba at the last election.

37763. We will confine ourselves, if you please, to the Territories.—That would afford a reason.

37764. At the last election the people of Saskatchewan who were favourable to prohibition had a number of saloon men to voice their sentiments on that and other questions. Why did they not select men who would speak and vote in favour of prohibition ?—I think their action was very foolish. Unfortunately they did not look upon the question as I did, but were led astray by political prejudices.

37765. For instance, we have a man here elected to a popular body who is in favour of license, and at the same time we are told that three-fourths of the people of the district are in favour of prohibition ?—Yes, three-fourths of the people will say they are satisfied with that man because he represents them well on everything else.

37766. That state of things would be quite correct in Alberta, because you say that prohibition would not obtain a majority there and, therefore, such a man would properly represent the district, and it is only when we come to speak of Saskatchewan that the difficulty occurs ?—There are two different members for Saskatchewan.

37767. I do not want to take them individually, but take them as a class. Does the same statement that applies to Saskatchewan apply to Assiniboia also ?—Yes.

37768. You have stated that you think the only way to make prohibition a success would be to make it an offence to have liquor in possession ?—Yes, nothing else would do.

37769. Name to me any country in the world that has such a law ?—We had such a law here until the decision of the court was given.

37770. Do you know of any country in the world that has such a law ?—Yes.

37771. Where ?—In parts of California.

37772. Name them ?—Pasadena and Riverside.

37773. Is it an offence for a man to have liquor in his possession there ?—Yes.

37774. Do you know any other country ?—Not where I have had personal experience.

37775. We have been told of one country where they have full prohibition, and that is the Fiji Islands : have you any knowledge in regard to prohibition there ?—Personally I have not.



37776. Have you had any experience in the working of the Maine law?—No.

37777. Under the Maine law the people are allowed to have what liquor they wish for their own consumption, but barter and sale are not allowed?—We had one instance of actual prohibition, and that was during the building of the Canadian Pacific Railway in the early days of Manitoba.

37778. Is Mr. Sifton, the contractor, any relation of yours?—Father.

37779. Do you concur in what he said?—I have not heard the evidence, but I do most heartily.

37780. His evidence was that it was strict prohibition?—Indeed.

37781. Have you personal knowledge of Pasadena and Riverside?—I have more of Pasadena than the other, my knowledge of Riverside is chiefly from hearsay.

37782. Are you able to say that no liquor is brought into that community?—No, I could not say so.

37783. Have you resided at Pasadena?—Yes. For practical purposes there was prohibition there. There were three men who were in Riverside a day, and they told me they could not get a drink in the town for there was no liquor for sale. Riverside has a population of 5,000.

*By Rev. Dr. McLeod :*

37784. Do you think that was an interference with the personal liberties of those men?—One thought so, but the other two thought prohibition was carried out correctly—in fact one was a man who had previously lived in the North-west Territories. They also said that if prohibition could be worked that way in the Territories, they would be in favour of prohibition.

*By Judge McDonald :*

37785. How large a place is Pasadena?—About 10,000 people.

37786. Is the surrounding country settled?—Yes, thickly settled.

37787. Is it near a town?—Yes, near Los Angeles, which is ten miles away.

37788. Is there sale of liquor at Los Angeles?—Yes, perfectly free.

37789. What is the nearest point at which liquor can be obtained outside of Pasadena?—Los Angeles is probably the nearest.

37790. You say it is ten miles away?—Yes.

37791. There are no restaurants or saloons nearer?—I do not think there are, certainly not to any extent, and there is communication every half hour with Los Angeles.

37792. Did you, on the occasion to which you referred when you received information as to the transfer of permits, make representation to the proper officials when those offences were committed?—No.

*By Rev. Dr. McLeod :*

37793. Do you know whether the people of Pasadena were unanimously in favour of prohibition, or were there some opposed to it?—There was a small minority opposed to it, but probably more than one-half of the people were in favour of it and the large property owners were all in favour of it.

37794. Was it an interference with the personal liberties of the people of Pasadena that they were not allowed to get drink?—It was not, because they could get it freely by going outside the town.

37795. Was it quite within the right of the people of Pasadena to enact prohibition for the town?—Yes.

37796. Coming back to these Territories, did not you name some place where the people elected a candidate who was a prohibitionist while the majority of the people were anti-prohibitionists?—Yes.

37797. Can you account for the people so forgetting themselves as to elect a prohibitionist in that place?—I think it occurred for the reason that they were satisfied with the general course of conduct of our representative, who had been our representative for several years, and he had satisfied us in other matters.

ARTHUR SIFTON.



37798. Speaking about Mr. Pike's statement about nine out of ten people in the district drinking, what have you to say about that?—It is absurd for a man travelling through the country and who does not know the people, to make that statement, because of course, he would meet very little with the general run of the people.

37799. Do you think that nine-tenths of the people he met were drinking people?—I think so probably.

37800. And you think he would frame his opinion in that way?—Yes. Of course a great deal depends on a man's own habits. I am not in the habit of drinking even in moderation, and I would not come into contact with drinking men; whereas if a man drinks, he is liable to come into contact with drinking men when he is travelling.

*By Judge McDonald:*

37801. And when he is not travelling, too?—Yes.

37802. What is the name of the district that sent a prohibitionist representative?—Edmonton.

37803. Can you, from your own knowledge, say that the majority of the people there were in favour of license?—Not from my own knowledge, only from hearsay and the general tenor of records in regard to that part of the country.

*By Rev. Dr. McLeod:*

37804. Do you arrive at that estimate from the experience of other people?—Yes, from many people.

*By Judge McDonald:*

37805. You think the people voted for a candidate who would support the license law, because he was the man of their choice in regard to other matters?—That is the explanation I can give.

#### A. ROSS CUTHBERT recalled.

37806. In regard to convictions made last year, I desire to say that Mr. Sifton does not appear to be aware that convictions were made for selling. There were twelve convictions during the year. In regard to members of the police force not securing cases because they were all known to the saloon-keepers, I may say that when an officer went into a saloon and asked for a drink, he would be told that there was no liquor in the place, and, of course, he could not inform. In regard to cases of that kind, men are sent from another place to endeavour to secure evidence on which to lay an information. Last year there were twelve convictions, under the statute, for selling.

*By Judge McDonald:*

37807. Do the officers go in plain clothes?—Yes.

37808. That was the rule?—Yes, before the license system came in. In regard to conviction of Indians and Half-breeds found in possession of drink, there have been, since the license law came in and during the last six months, twenty convictions, while for the same period last year there were none.

*By Rev. Dr. McLeod:*

37809. Were all or any of these convictions those of persons who had licenses to sell liquid refreshments?—All of them.

37810. In regard to the sale to Half-breeds and Indians to which you have referred, do you find it necessary to take extra precautions in order to protect the Indians since the adoption of the license system?—Yes. If there is any large body of Indians in the town we have to watch them night and day, because the Half-breeds are liable to sell them liquor. The half-breeds can buy liquor, and they sell it to the Indians.

*By Judge McDonald :*

37811. Have the convictions been all Indians or Half-breeds?—Half-breeds.

*By Rev. Dr. McLeod :*

37812. Were these twelve persons convicted?—The majority were. Of the other cases the evidence was not sufficient to secure conviction, because the parties swore that they had not sold liquor. The cases had to be dismissed on account of lack of evidence. Some cases were appealed, some sustained and some quashed.

JOHN R. COSTIGAN, of Calgary, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

37813. Do you hold any official position?—I am Crown Prosecutor for the Dominion Government for the district of Alberta.

37814. How long have you resided in the Territories?—Since the early part of the summer of 1883.

37815. Have you been in Calgary all that time?—Yes.

37816. Then you have seen the working of the permit system and also of the license system since it came into force. Speaking as a citizen, which is found to be the more satisfactory?—The license system, by all means.

37817. What were the difficulties connected with the permit or prohibitory system?—The principal difficulty was, I think, that popular sentiment was opposed to it, as it was very difficult to enforce, and it was very difficult to get information in order to institute prosecutions.

37818. What had you to do with the law officially?—I had the prosecution of all cases of offences against the prohibitory clauses of the North-west Act.

37819. When the North-west Mounted Police secured a case they would call on you as prosecuting counsel, I suppose?—Yes.

37820. Did you find that much smuggling went on during that period?—Yes.

37821. Were there any illicit stills?—Yes, some three or four.

37822. Were there any cases where persons used the permits fraudulently?—Yes, to a very great extent.

37823. Was there more liquor smuggled in than was brought in under the permit system proper?—Only a very small percentage came in under permit, as permitted liquor.

37824. Was a large quantity smuggled in without permit?—Yes.

37825. Had you anything to do with cases connected with the examination of packages in which liquor was found; were you called upon officially to deal with those cases?—I have had to cause examinations to be made and analyses to be made of liquors in order to decide what they were.

37826. Have you, in cases in which analyses were made, found that liquors were brought in under other names, whereas the liquors were really intoxicating liquors?—Yes.

37827. Of what were those liquors composed?—I have known liquids brought in marked Cologne which were practically alcohol.

37828. Do you know anything about the so-called four per cent beer system, and have you heard of spirituous liquors being brought in in barrels marked beer?—I have heard so.

37829. Did you find that liquors were sent in, contained in barrels, addressed to consignees, men from whose position you would not suspect that they would obtain liquor?—There were many instances of that.

37830. And the goods were never obtained by the persons to whom they were supposed to be sent?—Yes. My experience of the permit system was that permits were only issued where the people could *bona fide* state that they only required a small

A. ROSS CUTHBERT.

quantity of liquor, and they were not issued to dealers in liquor, at all events up to a recent date. My experience has been that liquor was only granted in small quantities, from two to five gallons, and that smuggling operations covered 50, 70 and even 200 gallons of liquor.

37831. Have you had any experience of liquor brought across the boundary from the United States?—No.

37832. From your experience do you think a general prohibitory law would be practicable of thorough enforcement in these Territories?—I do not think so. I believe that the sale of liquor could be prohibited to a certain extent, but I do not think it would be advisable to do so.

37833. What has been your experience in regard to evidence given in liquor cases?—It has been very difficult to get proper evidence.

37834. Do you find that a large amount of perjury prevails in connection with cases of that kind, more so than in cases of any other kind?—I have never had to prosecute for perjury in cases of that kind, but I do know that it is very difficult to obtain witnesses who are prepared to say that they have seen liquor sold; as a matter of fact I have myself known at the time that the witnesses were aware of the truth of the charge.

37835. Were those witnesses called simply because they were persons who saw the sale?—Yes.

37836. They were not persons who were drinking themselves?—They might have been taking a glass themselves, but no charge was laid against them.

37837. You mean they were simply spectators?—Yes, as regards the particular offence charged. For instance: A saloon-keeper is charged with selling liquor to John Smith. John Brown may have been sitting in the room and may have been a witness to the act of selling, yet you probably would not be able to get anything out of him in the shape of evidence. His memory would be found to be remarkably defective.

37838. In case of the enactment of a general prohibitory law, a law to prohibit the manufacture, importation and sale of alcoholic liquors for beverage purposes, do you think it would be right that brewers and distillers should be compensated for their loss of plant?—I should say so, at least for any plant they may have had on hand by reason of the Government's demands and which, probably, if those demands had not been made, would not have been on the premises. If a man goes and establishes a legitimate trade and obeys the Government's demands and fulfils all the conditions which the Government impose and suddenly his business is abolished and his plant rendered useless, I do not see why he should not be paid for the injury done.

37839. It has been suggested that changes are made in the trade policy which reduce the value of stocks materially. Is there not a difference in regard to the passage of a general prohibitory law and such tariff changes? Tariff change would not be a distinctive enactment which would stop a man's business?—Exactly.

37840. Therefore, you think remuneration should be given him?—Exactly.

37841. Are there any amendments to the license law which you could suggest from your experience?—I do not know of any amendments. I think there should be some provision made as to looking after the strict enforcement of it. As it is at present its enforcement is confined to one man, and he can hardly be expected to look after all the work himself. Saloons are not in the same position as hotels.

37842. Taking the saloon bar and the hotel bar: if one or the other had to be abolished, which had better go?—I do not know. I know a great many men who would go to hotels, which afford more facilities for drinking than saloons do.

37843. If a man goes into a saloon he is quite aware that every one knows for what purpose he is going. If, however, a man goes to a hotel, it does not necessarily follow that he goes there for a drink? In that way I hold that the hotel bar is a greater inducement to drink than the saloon bar. Of course there is a great deal to be said on the other side. Taking all in all, if one had to go, the saloon bar should go.

37844. It has been argued that as regards an hotel bar the public are going in and out and that constantly affords a certain measure of supervision which does not exist as regards the saloon?—Exactly.

37845. In a saloon everything is more closed up?—Yes, and they have back doors by which a man may enter and not be seen going in or out.

*By Rev. Dr. McLeod :*

37846. I understand it was your duty to represent all Crown cases of violation of the old prohibitory law?—After a certain date I received specified instructions to attend to all cases. I was appointed Crown prosecutor in the fall of 1885, or the beginning of 1886. For some time I did not consider it my duty to appear in those cases which were under the Dominion Act, and I did not receive specified instructions to appear until some time afterwards.

37847. Did you know liquor was sold illegally in Calgary before the license system came into operation—under the style of refreshments?—Certainly.

37848. Did you prosecute the parties?—Not until it was brought to my notice and an information laid.

37849. A formal charge was made and then you took charge of the case?—Yes.

37850. Were there many cases of violation charged?—A great many.

37851. I suppose they were all prosecuted and then penalties were imposed?—Yes. Most of the cases were appealed, however, 99 out of a 100.

37852. What was the result?—A great many of the cases were quashed.

37853. I think you have said that permits were issued for quantities varying from two to five gallons?—Two gallons was the rule.

37854. You never saw permits issued for 20, 40 and 60 gallons of whisky?—No.

37855. Nor for 10 gallons?—No.

37856. If a general prohibitory law were adopted, do you think benefit would result from it?—Outside of the question of revenue I think it would be a benefit.

37857. There would then be the question of revenue?—Yes, that is an objection.

MILTON WILLIAMS, of Gleichen, farmer, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

37858. You live in the District of Alberta, I believe?—Yes.

37859. How long have you resided in the North-west Territories?—Ten and one-half years.

37860. Did you come from one of the other provinces?—Yes, from Ontario.

37861. Which County?—From Cardwell in the County of Grenville.

37862. What year did you leave there?—In 1882.

37863. The license law was in force there?—Yes.

*By Rev. Dr. McLeod :*

37864. Your occupation is that of a farmer, I understand?—Yes.

37865. Do you know anything about, and if so will you state briefly your observation of, the permit system?—I can only speak from hearsay. I have never had a permit myself. I have known men who had permits. It was not at all difficult to get them.

37866. Have you been a farmer ever since you came to this part of the country?—Yes.

37867. Have you lived constantly in the same place?—No, not all the time.

37868. In what other part of the district have you lived?—I lived in the same district all the time but not on the same farm.

37869. Have you always operated a farm yourself or have you been employed by some other farmer?—I have been employed by some other farmer.

37870. How many years have you had a farm of your own?—Six years.

37871. Have you had an opportunity of getting inside knowledge of the liquor business as it was carried on then?—Yes.

37872. What opportunity had you?—My nearest neighbour was what has been called here—a whisky smuggler.

JOHN R. COSTIGAN.



37873. Did he carry on business regularly?—Yes, for some years.
37874. Did he carry it on secretly or was he detected?—Yes, it was done secretly, but he never was detected. Although the Mounted Police were round and information was laid against him yet he escaped.
37875. Did you make a complaint?—Yes.
37876. Did he smuggle large quantities?—Yes; sometimes large and sometimes small.
37877. How large do you think, 50 or 100 gallons?—As high as 200.
37878. Where did he bring it from?—He brought it sometimes from across the line and also from Manitoba, and disposed of it in Calgary.
37879. Do you think the police knew that he smuggled? I think they did.
37880. Do you know whether he continues it now?—He has given it up.
37881. Did he give it up before the license law came into operation?—Yes. He was afraid of being caught.
37882. Did the introduction of the four per cent beer system in 1889, interfere with his operations?—No, I do not think it did.
37883. Do you know any other smugglers than that one man?—Yes, I knew several more.
37884. Were they equally skilful in escaping the police?—Some were and some were not.
37885. Do you know of any parties escaping because they tipped the police?—I heard that in some cases they tipped the police.
37886. Have you reason to believe those statements?—Yes.
37887. Was there much drinking in the section in which you lived?—No.
37888. If a person wanted drink could he get it?—No, not outside of the town

*By Judge McDonald:*

37889. Did the whisky smuggler tell you why he gave it up?—He said he was tired of it.
37890. Was he a disreputable man himself?—No, not as regards drinking.
37891. Was he extravagant in his habits?—In some ways he was.
37892. Did he not make money in the business?—No, not much.
37893. Did you ever remonstrate with him about it?—Yes.
37894. What did he say?—He said he was all right to do so so long as he was not caught.
37895. What kind of men were the others who were engaged in the business?—Obviously they were farmers.
37896. Where did they sell their liquor?—In Calgary.
37897. Did they bring the liquors in by wagons?—Yes.
37898. Was the railway used after it was built?—Yes.
37899. In what way was liquor concealed?—In different ways; they would have a small cask in a barrel of oats. Sometimes a keg of whisky would be placed inside of a barrel of beer.
37900. Was it ever brought in mixed up with ginger beer or anything of that kind?—I could not say.
37901. In your part of the country the people were not given much to drinking?—No.
37902. Was it a temperance community generally?—Yes.
37903. Was any of the liquor brought in by permit by these men?—Yes.
37904. Had those men hiding places in which they would hide the liquor?—Yes. The man near where I was had a place on a neighbour's farm many miles away and had a cache on his own farm.

*By Rev. Dr. McLeod:*

37905. Having lived in this country a considerable time and having observed the feeling in the rural districts, have you any opinion about prohibition, as to whether it is practicable or not? If so, what are your views?—I think outside of Calgary, the sentiment of the people in the Territories would be in favour of prohibition.

37906. Do you think it could be enforced?—Yes, with the right officials.

37907. Since the question has been asked others, I should like to ask you the question: suppose a prohibitory law were enacted, would you think it right that brewers and distillers should be compensated?—Yes, I think they should be, as the law required them to obtain and keep certain machinery.

37908. Do you think the matter of compensation might go further and take in people in the trade who suffer loss?—I never thought of that part of the question.

A. ROSS CUTHBERT recalled.

*By Rev. Dr. McLeod :*

37909. We have had it in evidence several times that when applications were made for permits the Governor referred them to Members of the Legislative Assembly and to members of the Mounted Police at Regina. Was it customary to refer permits to police officers elsewhere?—During the last few years of the system the police, through their officers, had complained that they were called upon very often to search places on suspicion that liquor was being drank illegally, and then upon examining the liquor supply it was found to be covered by permit. The system was then established, that in future applications for permits—and it had also been shown that bad use had been made of the permits—were to be referred to the officer commanding the district from which the application came. Latterly that was done. Applications were submitted to the officers or officer and he gave his opinion as to what use would be made of the liquor when it came in by permit.

37910. If he reported that it would be unwise to issue that permit, was his report always acted on, or were permits sometimes issued overriding the report?—I know of one case where an application was made for 20 gallons of liquor and the opinion entertained was that the liquor was for sale—in fact it was known that it was for sale. Nevertheless, the permit was granted and renewed in a few days, and the officer had reported that the liquor was for sale.

*By Judge McDonald :*

37911. Do you know whether, in the case you speak of, members of the Legislature joined in recommending the applicant? I do not know the reason that the permit was granted after having been reported against. There must have been some good reason, and the granting of it must have been recommended by some one in authority.

Witness at a subsequent stage of the proceedings submitted the following supplementary statement:—

To The Royal Commission on the Liquor Question.

GENTLEMEN.

37912. A few points which were not touched upon in my examination on the 7th inst. I am pleased to avail myself of the opportunity kindly given me to speak of, and thus amplify my testimony.

The question of possible bribery of the North-west Mounted Police in connection with the non-enforcement of the liquor laws previous to the coming in force of the License Ordinance of 1892, having been raised in Calgary, it would seem not unnecessary that I should add to my evidence already given on that point. No case of such an attempt has ever come under my personal notice as having been successful, but there is no doubt that strenuous efforts in this direction have often been made, and it is possible that in a few isolated cases such attempts should succeed, partially resulting perhaps from a laxity on the part of a man entrusted with the supervision of certain work. Notwithstanding the great care exercised in the selection of men for enlistment in the North-west Mounted Police it is to be expected that a small proportion may be men who

MILTON WILLIAMS.

would not be as zealous in the carrying out of the always disagreeable duty of the enforcement of the liquor laws as the majority of the men entrusted with the duty have shown themselves to be. In a place like Calgary, it would not be astonishing if cases of over temptation did occur, but in an experience extending over some years I have still to be made aware of such a case. My reasons for admitting the possibility of such an occurrence are the almost super-human efforts made by the illicit traders to compass their ends. In many cases of infraction of the liquor laws brought before me, threats would be made by the accused that the prosecution of them by the constable who had been the means of discovery of the attempt would result in damaging accusations being made against him for past or present laxity. Although prosecutions in those as in other cases were pushed to a successful conviction, no such neglect of duty of our men ever transpired. The best proof of non-success at bribery by liquor dealers is the almost universal hatred they bear to our men. As a matter of opinion, it is my belief that if such neglect of duty ever occurred it would at once have been known.

One of the men placed in the town of Calgary for duty and to prevent liquor coming in by train told me that on one occasion he had been offered \$500.00 "to go on pass" for three days.

In reference to the question of convictions by North-west Mounted Police, Justices of the Peace, for "selling," *versus* convictions for "having in possession":—on examination of the minutes of cases in 1891, in which convictions had been made against a number of saloon and hotel-keepers of Calgary for "selling", I find that in those cases where the appeal procedure had been irregular the convictions were maintained by the court. In those cases which went to appeal on the merits the convictions were quashed. This would go to show that it was not easier to have "convictions for selling" maintained than it was to have those "for having in possession." In my experience it was as difficult in one case as in the other, due I suppose to the possibility of different interpretations of the law, and appreciation of evidence. The question of the consequences of the establishment of canteens at North-west Mounted Police posts is also one that has been raised. In giving evidence on this subject, it must be borne in mind that at the time of the establishment of these canteens it was more or less easy for men so inclined to procure malt or spirituous liquors, the latter in many cases being vile stuff. This led naturally to many evil results, which it is not necessary for me to enter upon. It was thought best to establish canteens where good malt liquors could be obtained at a reasonable price, as well as all articles likely to be required by the men and which were usually purchased at retail stores at high prices. The system in my experience is a good one, and has had good results from the point of view of discipline and benefits accruing to the men. In the former it is found there is less time spent by the men in town where it was sometimes easy to get into trouble. Their evenings for the most part are spent in the canteen, where amusements of various kinds are provided with the profits accruing to the men themselves by their patronage of these canteens.

A small profit is made, notwithstanding that articles are sold more cheaply than by retail dealers. The supplies are sometimes purchased from local dealers—as in Calgary—at wholesale prices and tradesmen have no cause of complaint of the withdrawal of this patronage. A non-commissioned officer is always present when the canteen is open during certain hours of the day, and he is responsible for orderly behaviour of the men and that no man drinks beer to excess. It may be looked upon as certain that a man who wishes to drink will do so if the liquor can be had, and under the permit system it could generally be had: this man or party of men would obtain liquor of one kind or another among their civilian acquaintances and would occasionally get into mischief from this cause. The beer to be obtained in the canteens satisfied this want, and the temptation to drink to excess, as was the case when a feeling existed that liquor being in possession has to be made the most of, has been removed.

Given the possibility of obtaining liquor in these Territories and it is my experience, as it must be that of other officers in the force, that canteens properly conducted are a blessing to North-west Mounted Police posts.

Were prohibition universal, of course canteens in so far as the sale of malt liquors is concerned would be an unnecessary evil, for their existence would become an evil. But under the permit system it was necessary, and more so under the license system.

I have not found that the sale of beer in barracks has increased the number of the men who drink it to any appreciable extent. And those who do not drink it benefit from the profits of its sale like those who do and to the same extent, these profits being devoted to the messes pro rata.

I have the honor to be, gentlemen,  
Your obedient servant,

A. ROSS CUTHBERT,  
*Inspector N. W. M. P. Commanding E. Division, Calgary.*

GEORGE MARSH, of Calgary, real estate agent, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

37913. How long have you resided in Calgary ?—Since September, 1883.

37914. Have you resided anywhere else in the Territories except here ?—Yes, I was railway agent for the Canadian Pacific Railway from Wolseley to this point.

37915. How large a district was that ?—About 500 miles.

37916. Were you travelling agent ?—Sometimes.

37917. Did you come here from one of the other provinces ?—I came from the United States to Canada.

37918. What part of the United States ?—Different parts. I was a railway man.

37919. Have you had any experience of a prohibitory law anywhere else than in the Territories ?—No.

37920. Then you have seen the Territories under the permit system ?—Yes.

37921. And, since the 1st of May, they have been under license ?—Yes.

37922. Which is the preferable system ?—The present system.

37923. How did you find the permit system work : was there much liquor in the country ?—There was quite as much, if not more than there is now.

37924. You have spoken of having been a railway agent, and as such you would have a great deal to do with the cars that came in ?—Yes.

37925. Have you reason to believe that liquor was brought in in freight cars ?—Yes.

37926. In what shape ?—In every conceivable way, in packages of merchandise, barrels of flour, sugar, oatmeal, boxes of coffee, barrels of salt and in every way.

37927. We had the evidence of a witness at Prince Albert that liquor was brought in on the railway, contained in tinware made in the shape of boxes and marked so as to indicate that they were Bibles ?—I never saw them. I have known liquor to be contained in five-gallon cans representing coal oil.

37928. Were such packages seized ?—Sometimes.

37929. Do you think the greater part of the packages got through or were they seized ?—That is pretty hard to say ; I should say the greater part got through. At all events that is my opinion from what I heard.

37930. Do you know anything about the use of pain-killer and such compounds ?—I have never seen any of that seized and destroyed, although I have seen it drunk around town.

37931. What else have you seen drunk ?—Red ink, also pain-killer, ginger, Florida water, all sorts of scents and eau de Cologne.

37932. Were those used in different localities in the Territories ?—In the town of Calgary.

37933. You have not seen them drunk anywhere else ?—No.

37934. When was that ?—In the winter of 1883-84.

37935. We have been told that during the last two years liquor has been sold openly in this town ?—Yes.

37936. Was there no sale at the time red ink was used ?—Yes.

A. ROSS CUTHBERT.



37937. How, then, can you account for the use of red ink?—Whisky could be secured more or less at that time; sometimes there was plenty of it and at other times there was almost a famine. When there was famine the men would use anything they could get.

37938. Do you know anything as to the price of liquor in those days?—Yes. I have paid as high as \$1.00 for three drinks; that was about the price. Sometimes it would be as low as 50 cents a drink, but not lower than that.

37939. I suppose you are not a total abstainer?—No.

37940. Are you favourable to prohibition?—Yes, provided there was prohibition.

37941. That is prohibition enforced?—If the manufacture was stopped altogether.

37942. Do you hope for a prohibitory law enforced?—I should like to see it, but there would be too much time wasted at present in endeavouring to enforce it.

37943. Suppose such a law were passed, do you think it could be enforced?—Yes, if the manufacture could be stopped on the continent, but not otherwise.

37944. Do you mean the manufacture by distillers or anybody?—Yes, anybody manufacturing.

37945. Do you hope to bring about that state of things?—I have not considered it much.

37946. You do not consider that to be practicable, I suppose?—No, I think it absurd.

37947. In case of the enactment of such a law, would you favour the payment of compensation to brewers and distillers for their loss of plant and machinery?—Yes.

37948. Are there any provisions of the license law that you, as a citizen, would amend?—Let everybody sell liquor who wants; but make them pay a high license.

37949. Are you favourable to prohibiting sale on Sunday?—No.

37950. You would let them sell?—Yes.

37951. What about selling all night?—I would let them sell all night.

37952. Would you have them sell to drunken men?—When men get as bad as all that give them the Gold Cure.

37953. But in the mean time you would let them sell, so long as they were able to pay?—Yes.

37954. So, although you favour prohibition in the abstract, you do not favour a small measure of prohibition in the shape of hours or people?—No. I would of course prohibit selling to minors. A man who does that should be punished very severely, not by a fine but by penitentiary or something of that kind.

37955. In regard to the treatment of a persistent drunkard you think there is nothing better than to try the Gold Cure?—Yes.

37956. At whose expense?—Let it be made part of the municipal machinery wherever they have the license system.

37957. Let the communities that have this license system in force maintain those institutions?—Yes.

37958. Would your favour the separation of the sale of groceries from the sale of liquor?—Yes.

37959. Which, in your opinion, is the more harmful, the hotel bar or the saloon bar: if one or the other had to be done away with, which would it be better to dispense with?—I have not given that matter any consideration, but I do not see that there would be much difference.

37960. Have you reason to believe that there is any illicit sale in Calgary, sale by places that have no licenses?—I have no possible means of knowing that.

*By Rev. Dr. McLeod:*

37961. Provided the Gold Cure institutions were established by the municipality, would you also have the municipality provide for the families of those inebriates who were undergoing the Gold Cure process?—I do not think that is a fair question. Of course if a man misconducts himself or abuses his family, the members of his family, or his friends, should have him placed in such an institution, or he should be brought before a Justice.

37962. Have you noticed if the license system works well here?—Yes.

37963. Does it work well or not?—I think it works well here, as well as in Toronto or anywhere else.

37964. How is it observed here?—In Calgary you can get liquor almost any hour of the day or night, that is to say after hours, as in fact you can do in Toronto. That is my experience of both places.

37965. So license does not particularly regulate the trade?—No, I do not believe it does. One thing in regard to Calgary's position is that you can get better liquor now.

37966. Do you know whether men holding licenses sell adulterated liquor or not?—They possibly may do so, but I do not know. I know the liquor has been better since the license system came into force, and that some men were pretty nearly poisoned by drinking adulterated liquor before this.

37967. You have referred to people drinking red ink?—They would make it into a solution of some kind mixed with water and other ingredients.

37968. You think at the present time it is not necessary to resort to red ink?—No, there is alcohol.

37969. Those compounds to which you have referred, were taken for the small percentage of alcohol in them, I suppose?—Yes.

37970. Did you ever notice whether men began to drink on red ink or pain-killer, or were those liquids confined to men who had become addicted to the habit of drinking?—I have seen young men in the town who probably never drank 10 glasses of whisky in their lives take a drink of red ink.

37971. What effect has the red ink on the men?—I have never seen enough drunk to be able to tell. I never tasted it.

37972. It was not a general tippie, I suppose?—No.

37973. Still the percentage of alcohol in it is not very great, and if there had not been other deleterious substances in it the liquid would not have been so bad after all?—I think there is a pretty good percentage of alcohol in red ink.

37974. Do you think the mixture might have been labelled red ink and that it contained a larger percentage of alcohol than ordinary red ink, or do you think it was good red ink?—I do not know. In 1883-84 while here for the railway company, they would not allow red ink to be on the premises, and they would not supply it to the agents, and so the agents themselves had to buy it.

37975. Was that red ink which they took similar to that with which you yourself write?—They took three bottles out of my own office.

37976. Have energetic efforts been made to prevent liquor being brought in and also to prevent illicit sales?—Yes.

37977. Do you think the police constables were as vigilant as they might have been in their attempts to prevent illicit sale?—I do not know.

37978. What is your reason for holding that opinion?—This: there was bribery. You could buy up, I should say, a great many constables on town duty. There were arrangements made with saloon and hotel-keepers in this town for one dollar a gallon, by which the constables would allow a number of illicit packages to come in without seizing them and destroying the liquor. In another case 10 or 20 gallons would come in from the east under permit and would be dealt with in this way. Instead of the permit being cancelled at the station they would let the permit and the whisky both go; by letting the permit go, the persons would be able to get lots of liquor in. That has been done in several instances. I was offered \$500 to let in a number of barrels of whisky which had been left on the cars.

37979. Where were you agent at that time?—At this place.

37980. That attempt was, of course, not successful?—It was not.

37981. Do you think the system, as it was in operation, was properly called a prohibition system?—I do not. I think the attempt at prohibition was a farce.

37982. Do you think that the attempt to carry out a prohibitory system in the Territories might be considered a fair test of the prohibitory law?—If you look at the question the way I do, you might put 10,000 soldiers round Calgary and you would not be able to keep whisky from coming in. There would still be a way to bring it in.

37983. Underground?—Yes.

GEORGE MARSH.

37984. So you think that under any circumstances whisky cannot be kept out?—I do not believe it can, and I have had a very good opportunity of seeing it. It was brought through the mountain passes. It was brought up from Montana and it was brought by scores of different ways.

37985. You think it would be a good thing if it could all be kept out, I suppose?—Yes, but you would have to prohibit the manufacture.

*By Judge McDonald :*

37986. On the continent?—Yes, on the continent.

37987. But you would wish prohibition to extend all over the world?—Yes, that would be better, but still people would try to manufacture liquor.

37988. Suppose liquor was prohibited to be manufactured on this continent, would not the people bring in liquor along the sea coast?—That would be a pretty round about way to bring it into Calgary.

37989. But would it not be brought in that way to the continent?—The Government might keep it out in that case.

37990. How many soldiers would be required to do it?—It would bankrupt the country to do it.

*By Rev. Dr. McLeod :*

37991. You have said that the Canadian Pacific Railway Company would not send red ink to the officers : was it because it was drunk there?—They were afraid to send it. Some of the old officials of the Company will tell you so.

*By Judge McDonald :*

37992. Did you know the police officer who got \$1 a gallon for liquor that he allowed to come in?—I was present at the sheds when a man got \$25 for allowing 25 gallons to come in.

37993. Was he a police officer?—He was a constable.

37994. Did you report him?—That was after I left the Railway Company.

37995. You were still a citizen of course?—Yes.

37996. And you allowed that man to remain on the police force?—It was none of my business.

37997. Was that during the time of the trouble?—Yes, it was during the time of the rebellion, when whisky was worth from \$25 to \$30 a gallon.

37998. What were you offered?—\$500 for eight barrels of oatmeal and four of sugar.

37999. Those barrels had liquor in them, I suppose?—Yes. They were addressed to the consignee.

38000. What became of them?—They were ultimately destroyed by the officers. The Canadian Pacific Railway detectives sat up with them. The Canadian Pacific Railway was using every effort to keep liquor out of the country.

38001. Then they were not playing into the hands of smugglers?—No.

38002. Did the detectives come along with the goods in the cars?—He would sometimes come on the train just before the liquor arrived.

38003. Did the man who offered to buy the liquor know that detectives were coming along?—I do not know.

38004. Was the liquor consigned to the man who offered you the money?—No, he was doing it through a third party.

38005. Was he a man who would not be suspected?—I forget the name.

38006. Then it was consigned to a third person?—It was consigned to a man living to the north.

38007. Then the liquor was not wanted for himself?—No. That man was a go-between.

38008. The party was going to carry the liquor north for sale, I suppose?—Yes.

38009. You refused to squeal?—Yes.

38010. Did you see the barrels opened?—Yes. When the barrels of oatmeal were opened there was in the centre of each barrel a keg containing five or ten gallons of whisky.

38011. What were in the other barrels?—Cigars.

38012. Did the barrels appear to have come from distilleries?—Yes. Dealers in Winnipeg shipped them in that way.

38013. Then they had come from wholesale dealers not from sugar refiners?—Yes. I should say that prohibition there had a tendency to breed criminals.

*By Rev. Dr. McLeod :*

38014. Do you mean as to prohibition or as to the whisky?—It is the whisky trade and the inducements offered by prohibition that breed criminals.

PATRICK J. NOLAN, JR., of Calgary, barrister, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

38015. How long have you live in the Territories?—Three years.

38016. Where did you come from to the Territories?—From Ontario.

38017. Have you had any experience of the permit system and of the license law here?—Yes.

38018. Which is your preference as between the two systems?—I think license is preferable. My experience during my residence in Calgary would lead me to that belief.

38019. Can you give any evidence in regard to the working of the system that would be of use to this Commission?—It would appear to me that there is a decrease in crime since the introduction of the license system.

38020. Do you think there is a decrease in drinking?—I do. I am only speaking of the town and neighbourhood of Calgary. My experience is, as I have stated, under the permit system as well as under the license system, and whatever drinking is done now is open for everyone to see, whereas, before probably there was a lot done in secret.

38021. Do you know anything of the character of the liquor sold?—Where there is so much competition, necessarily the liquor is good, because there are so many places in which you can get it. On one occasion I counted 36 places where it could be got before the license law came into force.

38022. What kind of compounds were sold in those places?—Probably whisky, and some was pretty poor whisky.

38023. Did you use red ink?—Not in my time. Those are stories always told to incoming settlers.

38024. Then you did not find any difficulty in obtaining liquor?—No.

38025. When did you come here?—In 1889.

38026. In case of the enactment of a general prohibitory law, a law to prohibit the manufacture, importation and sale of intoxicating liquor for beverage purposes, do you think it would be right that brewers and distillers should receive compensation for their loss of plant and machinery?—Yes, so far as the plant the law compelled them to have.

38027. Can you make any suggestion in the direction of improving the license law?—The principal one to which I desire to refer is one that has come under which my own practical experience with regard to the license system; that one which allows the wholesale dealer to remain open until 10 o'clock on Saturday night while it compels the hotel bars to close at 7 o'clock.

38028. Would you put them both on the same footing?—Yes, I would, because the licensed dealer is not allowed to sell less than one quart, and that causes lots of home drinking where the people would otherwise be contented with a glass. I went over the figures in the police record, with Mr. Sifton, and although it does not appear that the number of drunks or vagrants has been larger during the last six months than before, that can be accounted for in a good many ways. In the first place drinking is more open now. If a man gets under the influence of liquor he may be ejected from the place where

GEORGE MARSH.



the liquor is sold, but under the old system such a man would be removed to a back room or taken upstairs and put to bed and kept out of the way until he was able to take care of himself. This will account for the discrepancy to some extent.

*By Rev. Dr. McLeod :*

38029. You say you arrived here in 1889. At that time the four per cent beer permits were being granted, I believe?—Yes.

38030. So you did not observe the condition of things prior to that date?—No, everything at that time was four per cent.

38031. Do you regard that system as a prohibitory system at all?—It was to a certain class.

38032. To what class?—Men who could not afford to buy large quantities and who could not get permits.

38033. Is it a fact that the permits were had by persons who were not of a very intelligent class?—They must have been given to persons of that class, although a great many found it difficult to get permits.

38034. You spoke about 36 places selling: was anything done to prevent them doing so?—Last year there was a policeman brought from Regina, a stranger who went around those places. This officer was brought here by order of Commissioner Herchmer, and his business was to go through Calgary and discover where intoxicating liquors were being sold. I think there were 23 places to which the Corporation issued licenses for a fee of \$100 to sell non-intoxicating liquors, but it was understood by everybody that they sold intoxicating drinks.

38035. Do you think the town authorities knew that?—If they did not know that they were very blind.

38036. Did the town authorities interfere with them?—Not that I saw.

38037. Do you know whether the town authorities under cover of making provision for the sale of temperance beverages really favoured the sale of intoxicants?—It seemed to me that the town police were blackmailing those people to a certain extent. I am speaking about the man brought from Regina and who went from one place to another and procured quite a lot of evidence of selling. He was afterwards prosecuted for perjury.

38038. Was he convicted?—No. He might have been dealt with by the mounted police. At all events he got six months' imprisonment for blackmailing.

38039. Was he acting in the character of a detective?—He did not turn out to be much of a detective.

38040. Were his actions in the direction of detective work: was there any regular system of working?—No. We had a boom in whisky selling and there were 18 or 19 cases in the police court.

*By Judge McDonald :*

38041. Did he hope to be able to blackmail the restaurant-keepers?—Yes.

38042. Was he going about among the restaurant-keepers and making charges against them?—Yes.

38043. So he was convicted of attempting to blackmail them individually?—Yes, by the police authorities themselves, and he was sent away.

38044. Do you know whether there was any illicit manufacture in the neighbourhood?—Very little.

38045. It has been stated here to-day that compounds were used in the Territories. Was that before your time?—There has been none of that since I came here.

38046. It has been stated here that the manufacture of liquors is being introduced here, and that a brewery is being started?—Yes.

38047. In Calgary?—Yes.

38048. Is it for the manufacture of ordinary ale?—Yes. There is not a very enormous quantity of liquor, of ale, imported into the Territories, but the people are beginning to find out that, although it is cheap, it is a very good article, and that little harm will be done by drinking it, and that industry should be allowed to go on.

38049. How many licenses were issued in the town for liquid refreshments?—Some are very peculiar places and you might come across them without knowing them. I think I counted at one time 35 or 36.

38050. Did they all have municipal licenses?—No, only 25 had.

38051. Then there were 12 at least who sold illicitly?—Yes.

38052. You do not claim that all the persons who had such licenses committed breaches of the law?—I am sure they did. I never heard of a place in Calgary where a man could not obtain intoxicating drink, or get anything else, except at a store.

*By Rev. Dr. McLeod:*

38053. There is some prohibition at present in the license system, I believe?—I think the system is about the best one we can have.

*By Judge McDonald:*

38054. Did the public, as a general rule, know that the system of selling liquid refreshments was only a cloak?—I am sure they did.

38055. With the object, of course, of increasing the revenue of the municipality?—Yes. The license system has increased it also to a certain extent, as there were only 15 or 16 places paying a license of \$100, there are now 9 or 10 places paying a \$200 license each.

The names of Sheriff King, L. S. Baden, Amos Rowe, W. Pierce and Inspector Snider were called and the parties did not answer, the two last named being reported as out of town.

JUDGE McDONALD.—The Commissioners understand that neither Mr. Kribbs nor Mr. Spence wishes to call any further witnesses.

MR. SPENCE.—I do not think it is necessary.

MR. KRIBBS.—I do not think it is necessary.

JUDGE McDONALD.—In view of the statements of Mr. Spence and Mr. Kribbs, and the fact that the official list of witnesses has been called several times, and all who have responded have been examined, the Commissioners do not think it necessary to continue the sitting to-morrow, and therefore the Commission now stands adjourned.

The Commission adjourned, to meet at Fort Macleod.

## FORT MACLEOD, November 9, 1892.

The Royal Commission on the Liquor Traffic met here this day.

*Present :*

JUDGE McDONALD.

REV. DR. MCLEOD.

WILLIAM COX ALLEN, M.D., of Fort Macleod, Collector of Customs and Collector of Inland Revenue, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

38056. How many years have you resided here ?—I have been here more than six years.

38057. Was the permit system in force when you came here ?—It was.

38058. Since 1st of May the Territories have been under a license system ?—Yes.

38059. Has any liquor come in since then in bond, or been imported ?—Yes.

38060. Can you tell the Commissioners how much ?—I was looking at the amount of money I received for duty on liquor, and I noticed the amount was \$1,400, or \$1,000 Inland Revenue and \$400 Customs.

38061. What is the rate of duty ?—\$2.12½ per gallon Customs and \$1.50 per gallon Inland Revenue.

38062. On what kind of liquor was the duty collected ?—On different kinds, on whisky particularly.

38063. Was liquor brought in illicitly to this country before the license system came into force ?—I am sure of it.

38064. Was there smuggling to any extent ?—Yes, to a large extent.

38065. From where ?—From Montana, United States.

38066. Was that the principal point for this section of the country ?—Yes.

38067. Have you any knowledge of the quality of liquor that was brought in, whether it was good or bad ?—I am told that it was very poor.

38068. Was it alcoholic liquor or ale ?—Generally alcoholic liquors, or pure alcohol.

38069. Have you reason to believe that the North-west Mounted Police were vigilant in trying to prevent smuggling ?—Yes.

38070. Were they faithful in discharging their duties ?—Yes ; they came under my notice very much. They made a great many seizures which they handed over to me, and they were very careful in carrying out their duties.

38071. From your experience in this country do you think it would be practicable to enforce a prohibitory law ?—I do not.

38072. Which, in your opinion, is the preferable system : the present one or the permit system ?—The present system, decidedly, so far as we are concerned.

38073. You mean the people in this section ?—Yes.

38074. Has there been an increase in drunkenness since the license law came into operation ?—I cannot perceive it ; I cannot perceive any material changes at all.

38075. In case of the enactment of a general prohibitory law, a law to prohibit the manufacture, importation and sale of alcoholic liquors for beverage purposes, do you think brewers and distillers should receive compensation for their loss of plant and machinery ?—That is a matter on which I cannot give an opinion.

38076. Have you given it any thought ?—I find that some people are for and some against it. I think that if I expressed my own personal view, it would be no.

38077. It has been urged that the law requires distillers to provide certain machinery and to keep the liquor for two years for purposes of rectification and, therefore, it is

urged that if their business was destroyed they should be remunerated. You think they should not receive remuneration?—I do not.

*By Rev. Dr. McLeod :*

38078. So there was a great deal of smuggling prior to 1st of May last?—Yes.

38079. Do you know if smuggling has continued since that time?—No.

38080. You think there has been none?—I do not think there has been any smuggling at all.

38081. Are the police as vigilant now as they were before to prevent smuggling?—I think they are. They have to protect the Customs now, and consequently I am thrown amongst them a good deal, and I think they are extremely vigilant in every particular.

38082. Do you regard the old system as prohibition in any sense?—I do not, I may say that I do not think it possible to carry out such a law here because of our extensive border.

38083. You are peculiarly situated here?—Yes.

38084. But the question I desire to ask you is this : Do you regard the old system as one of prohibition or as one of permission?—I think it was a system of permission.

38085. Speaking of a general prohibitory law for the country at large, do you think the prohibition of liquor, that is its manufacture and sale, is desirable in the interests of the country?—I do, provided it could be effectually carried out.

38086. Being peculiarly situated here, the difficulty of enforcement comes very closely under your observation?—Of course, I can speak not only of here, but of down east, where I occupied a public position for some years. In Ontario we were just across the boundary, and there was a great deal of smuggling going on. I was a strong advocate of the Scott Act, but after it had been tried I was not.

38087. The Local Option Law of course only restricted the sale, not the manufacture?—Exactly.

*By Judge McDonald :*

38088. Taking the country as you know it, not only this part but the east, and taking into account the boundary line and our water communications, do you think it would be practicable to enforce a prohibitory law for the whole country?—I do not.

REV. DONALD HILTON, of Fort Macleod, Clerk in Holy Orders, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

38089. With what Church are you connected?—With the Church of England.

38090. How long have you resided in Macleod?—Seven years.

38091. How long have you resided in the Territories?—Fourteen years.

38092. Then you have observed the working of the former system called the prohibition or permit system, and the working of the license system since the 1st of May. which do you think is the more desirable system?—I think the license system is more desirable.

38093. Have you reason to believe that there was much illicit importation of liquor under the old system?—I have.

38094. Have you any knowledge whether compounds were used for beverage purposes, articles such as pain-killer, eau de Cologne, and liquids of that kind?—I have no personal knowledge of it, but it was commonly reported that such was the case.

38095. Have you many people coming here from the old countries, such as England?—We have a great many.

38096. Are they people of whom the largest proportion are total abstainers?—No.

WILLIAM COX ALLEN.



38097. Are they people who use intoxicating beverages in moderation?—I think the majority of the people use them in moderation.

38098. Do you think that people coming here from the mother country, and from Germany and France and other countries, who have been accustomed to partake of liquors in moderation, would consider the entire prohibition of alcoholic beverages a drawback?—I think not.

38099. Are you a prohibitionist in principle?—I am, if it could be carried out.

38100. Do you think it could be carried out?—I think not.

38101. In case of the enactment of a general prohibitory law, would you deem it right that brewers and distillers should receive compensation for their loss of plant and machinery?—That is a question I have never considered.

*By Rev. Dr. McLeod :*

38102. Why do you think the license system is more desirable than the permit or prohibition system?—Because under the prohibition system there was a lot of illicit drinking, and the license system has done away with all that. Even in a small community like this 15 or 18 saloons were selling illicitly. As to the consumption of liquor, I do not know whether it is more or less. The liquors I believe are pure and less injurious physically.

38103. Were no attempts made to close those illicit places?—Certainly.

38104. With success?—Owing to technicalities it was found impossible to do so.

38105. Did they carry on business openly?—So far as I understand, they did so openly.

38106. You have expressed yourself as being favourable to prohibition if it could be carried out, but you have expressed an opinion that it could not be carried out?—Yes.

38107. Do you think, if public opinion, taking the country over, was strongly in favour of such a law, it would be possible to enforce it?—I think public opinion would have to be very strongly in favour of it.

38108. How many years have you been in the ministry?—Seven or eight years.

38109. Have you observed, in your intercourse with the people as a minister and with your knowledge of families and family life and individual life as well, whether the drink traffic, as it is carried on, is responsible, in any way, for the unhappiness of families, the neglect of children and neglect of religion?—Certainly, I have observed it to some extent.

38110. According to your observation is it to any considerable degree?—No, I cannot say that it is.

38111. Do you think there are other causes that contribute more to these sad results?—Do I understand your question to refer to the taking of liquors?

38112. I mean the liquor traffic and habit.—I think not.

38113. Is a small percentage only of those results attributable to the drink habit and traffic?—Of course, I recognize that people drinking to excess in any community bring distress on themselves and their families; but I do not think, from my experience, that moderate drinking, in any way, brings distress on families.

38114. Have you observed whether moderate drinking has a tendency in any degree, to lead to excessive drinking?—I perceive it is the first step to excessive drinking.

38115. Your objection to prohibition is that it is impracticable?—Yes.

38116. Do you believe in the principle of prohibition, if it could be carried out?—Certainly. I think the introduction of the license system has materially damaged the half-breed population of the community.

38117. Have you Indians here?—Yes, Indians and Half-breeds.

38118. Have you noticed whether the Indians are more endangered under license than they were under the old system?—I think there is more danger to them under the present license system.

38119. You agree with the Indian Commissioner and police officers, who say they have to take extra precautions to protect the Indians against the liquor trade?—Yes.

JOSEPH H. WRIGLEY, of Fort Macleod, advocate, on being duly sworn, deposed as follows :—

*By Judge McDonald:*

38120. How long have you resided here ?—Actually in Macleod since 1st July.

38121. Where did you reside before that ?—In Lethbridge.

38122. So you have observed the working of the prohibition system as well as the license system ?—I have seen the working of prohibition in nearly every town in the Territories, as well as the license system.

38123. How long have you lived in the Territories ?—About one year and nine months.

38124. Where were you before you came to the Territories ?—In Winnipeg.

38125. Which system, in your opinion, is preferable ?—The license system.

38126. How did you find the old system work ?—I found that in the majority of cases it did not prohibit. In some towns, of course, strangers might have considerable difficulty in getting liquor. There was an immense amount of smuggling going on.

38127. Have you, in your experience, seen such compounds as pain-killer, eau de Cologne and such liquors used as beverages ?—I have seen them use liquor in which animals had been preserved, such as reptiles, and also red ink, and I have seen tobacco used with red ink. The tobacco was boiled and then strained and then mixed with the red ink and diluted with water.

38128. Do you think, from your experience, that prohibition would be practicable and could be enforced in these Territories ?—No, not with the present feeling of the people.

38129. Would it require a large force of public opinion in favour of such a law in order to make it successful ?—Yes, a very large force of public feeling.

38130. Failing that, you fear that liquor would be brought in illicitly ?—It would be both manufactured and brought in illicitly. Down here smuggling would go on to a large extent, but north they would manufacture.

38131. A considerable amount of evidence has been submitted before the Commission in regard to liquors brought in in barrels of rice, sugar and molasses and so on : Had you any experience of that kind here ?—No, I have never seen liquor brought in contained in other goods. I have seen liquor that has been smuggled in.

38132. Have you considered the question of granting compensation to brewers and distillers ?—I really am not prepared to give an opinion on that subject.

*By Rev. Dr. McLeod:*

38133. You say that you think prohibition is not practicable with the present opinion of the people. Do you think there may be, at some time, a state of feeling among the people that would be favourable to prohibition ?—Of course there may be, but I do not see any signs of it.

38134. Do you think it is a question that must be determined by the people's representatives ?—No, personally I do not.

38135. Is your objection to prohibition an objection to the principle or to its practicability ?—As regards both in these Territories.

38136. Does that opinion apply to the country at large ?—So far as my experience goes, I do not think a general prohibitory law could be carried out ; and, besides, I am opposed to the principle of prohibition.

38137. Your experiences have been exclusively in the Territories and Manitoba ?—Exclusively.

ROBERT EVANS, of Fort Macleod, veterinary surgeon, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

38138. Are you connected with the Mounted Police force here ?—No.

38139. Do you hold any official position ?—Yes, Revenue Inspector.

38140. How long have you lived in the Territories ?—Three years.

38141. Have you lived all that time in Fort Macleod ?—Yes.

38142. Did you come here from one of the other provinces ?—From Ontario, from the County of Peel.

38143. What system dealing with the liquor traffic was in force there ?—The license system.

38144. And then you have had experience here with the so called prohibition system and also with the license system. Which do you think is more desirable ?—The license system is decidedly preferable to the system that was formerly in operation.

38145. What were the difficulties under the old system ?—The indifference of the people.

38146. Nothing further ?—The difficulty that the police had to contend with in enforcing the law was entirely due to the reticence the people felt in informing against illicit dealers in whisky.

38147. Did members of the force appear to do their duty faithfully ?—Yes.

38148. Was the principal difficulty experienced in obtaining evidence ?—Yes.

38149. Were the witnesses troubled with bad memory ?—My experience has been, both in the east and in the west, that the witnesses will not tell you anything.

38150. Has there been any smuggling going on here ?—I understand there was smuggling, but I do not know it personally.

38151. How far are you from the boundary line ?—50 miles in a straight line.

38152. Do you consider from your experience that prohibition would be practicable in these Territories ?—I do not think it would be in this country at all.

38153. Do you mean it could not be enforced ?—It could not be enforced, not because the officers might not do their duty but owing to the indifference of the people, for the majority of the people who do not drink do not care to enforce the law against those who want liquor.

38154. Taking the country as we have it, with its vast boundary line and great coast line, do you think a general prohibitory law would be capable of enforcement ?—No.

38155. Have you considered the question of granting remuneration to brewers and distillers for their loss of plant and machinery in case of the enactment of a general prohibitory law ?—Yes. I think they should be remunerated in the event of their business being destroyed. In regard to hotel-keepers, they are in an entirely different line.

*By Rev. Dr. McLeod :*

38156. You say you believe the license system preferable to the so-called prohibitive system ?—Yes.

38157. Do you think the license system preferable to prohibition fairly well enforced ?—If you could enforce prohibition, it would be the better system.

38158. So your objection to prohibition is not to the principle, but because in your opinion it is impracticable ?—Because of its impracticability and because of the indifference of the people.

38159. Speaking of the police force, we had it in evidence that police constables, who received very small pay, were subjected to very serious temptations in the way of tips from smugglers and other illicit dealers, and in that way they winked at the illicit trade. Have you observed whether anything of that kind has occurred down this way ?—Not personally. I have no knowledge of it. It was reported here that on one occasion a constable had taken something from the hotel-keeper here. But as to preventing liquor being brought in, it was most difficult to get convictions against any man for bringing it in and very difficult to get convictions for selling it.

38160. Was that owing to the unwillingness of witnesses to testify ?—Yes, and there seemed to be a desire not to punish any one for selling.

38161. Were the witnesses for the most part men who had purchased liquor at those places?—Yes, mostly.

38162. Would you regard their unwillingness to testify against sellers due to the fact that they had been parties to the breaking of the law?—No, I attribute it to their repugnance to have the man convicted for selling liquor which they wanted.

38163. And they were unwilling to have the men punished for violating a law to which they were themselves a party?—Yes; and yet hundreds of those people would vote for prohibition. If the law was adopted and placed on the statute-book, they would not assist in enforcing it.

38164. Have you had any experience of the Scott Act at any time?—Yes, in the adjoining counties of Simcoe and Dufferin; it was carried by large majorities and repealed later on by as large majorities. In our county the Scott Act was submitted, but was not carried.

38165. Have you observed whether the license law, which you have observed in Ontario and elsewhere, is really restrictive to the trade and does it regulate it?—Yes, in the particular locality where I lived, it certainly did so.

38166. Where was that?—In Bolton near Toronto.

38167. How many licenses are there here?—Two.

38168. Do you know whether there is sale after hours and on Sunday?—I do not know, but in my opinion there is.

38169. Are there any other places selling?—No.

38170. Have you heard of any?—No.

*By Judge McDonald:*

38171. You spoke of an occasion on which there had been a rumour that a saloon-keeper had tampered with a member of the force. Do you mean that there were saloon-keepers then in this town?—There were a great number before the license system came into operation.

38172. How many?—Six or ten.

38173. Places where liquor was sold illicitly?—Yes.

38174. And openly?—Yes.

*By Rev. Dr McLeod:*

38175. Do you regard the old system as one of prohibition or permission?—It was no permission to sell, only permission to drink.

38176. There was no one selling?—Not to any great extent.

38177. Was any effort made to prevent them selling?—Not during my time. I believe a strong attempt was made about two years before the license system came into force.

HON. JAMES FARQUHARSON McLEOD, of Fort Macleod, Justice of the Supreme Court of the Northwest Territories, on being duly sworn, deposed as follows:—

*By Judge McDonald:*

38178. How long have you resided in the Territories?—Since 1874.

38179. How long have you been at Macleod?—Since then. The head quarters of the force I commanded was at one time at Cypress Hills. I have made my residence here since.

38180. You were in the North-west Mounted Police and in command, I believe?—Yes.

38181. How long did you fill the position of commander?—From July, 1876, to November, 1889.

38182. Who succeeded you?—Col. Irvine.

ROBERT EVANS.



38183. How long have you been a Justice of the Supreme Court of the North-west Territories?—For five years.

38184. While an officer of the force were you stationed at any other place than Cypress Hills and here?—My headquarters were here, except for the short time I was at Cypress Hills.

38185. In the discharge of your duties, did you travel about?—Yes.

38186. The Mounted Police was charged with the enforcement of the prohibitory enactment, I believe?—Certainly. I came here first as Assistant Commissioner of the force; I was the first officer who came here with the force.

38187. Were difficulties experienced in enforcing that prohibitory law?—At first there were no difficulties at all. When we first came here there was very little liquor sold, and the idea was to stop the traffic with the Indians and children.

38188. Was there no white population to speak of?—No, none whatever. We came in October, 1874, and before that time I believe there was a great deal of drinking among the Indians. In that year, knowing that we were coming here, the traders had not brought in any liquor to sell. However, we had an opportunity of making an example in two or three cases, and for some time afterwards there was nothing of the kind taking place and we stopped the trade entirely.

38189. What was the condition of things subsequently?—Subsequently people came in and liquor was brought in, and we had more trouble.

38190. As the population increased, what was the effect?—It was very difficult to catch those people who brought it in.

38191. In what way was it brought in?—In every way.

38192. Was it brought across the boundary line?—Yes; that was the only way that it could be brought in then.

38193. Had you any experience of bringing in liquor when the railway was opened, or were you not connected with the force at that time?—No.

38194. We have been told that the police found liquor in packages which were supposed to contain sugar, rice and so on?—I have had no experience of that. I have, however, seen it brought in in disguise at Calgary. I saw ten coal-oil barrels which contained whisky.

38195. Were they supposed to be barrels containing coal-oil?—Yes; I had nothing, however, to do with the matter; I simply happened to be staying with the officer in charge. It was brought in during the night and I left early in the morning.

38196. Have you had liquor cases brought before you as a Judge of the Supreme Court?—Yes, they would come before me as appeals.

38197. Have you had many such cases?—Yes, a good many.

38198. Did the evidence show that many devices were resorted to as means to smuggle in liquor?—Yes. The difficulty was to obtain evidence to prove the cases.

38199. What was your experience in regard to the manner in which witnesses gave testimony in those cases?—It was very bad, and in many cases perjury was committed.

38200. Since the first of May you have had a license system in force here, I believe?—Yes.

38201. Speaking as a citizen and from your experience, which do you think preferable, the old system or the present one?—The present system.

38202. Do you consider that a prohibitory law could be well enforced in these Territories?—From my experience it could not. We never, however, had a prohibitory system in force here, it was really a license system.

38203. It was a permit system, I believe?—Yes.

38204. We have been informed that in addition to the large quantities brought in by permit, there were also large quantities brought in illicitly?—Yes.

38205. Then there was trouble in both ways?—Yes.

38206. From quantities of liquor being brought in under permit and quantities being smuggled in various disguises?—Yes.

38207. Speaking as a jurist, what is your view of having a law on the statute-books what is persistently and flagrantly violated: is the effect good or bad?—I should think it was bad. I know that my conscience has been dreadfully shocked at the way men have sometimes deliberately sworn to what I knew was untrue. I will give an in-

stance of what of times happens when I was trying those cases. I asked a man who had complained of being struck on the head, if he had been drinking whisky. He said, "I do not know what it was." I asked, "Was it liquor?" He replied, "I do not know." I asked him if it was intoxicating, he said: "I do not know that it was." I asked him if he had drunk enough to intoxicate him,—for I tried to get him to state whether it was intoxicating liquor or not that he had taken. He replied, "I cannot say that." Cases of that kind are constantly arising. Of course the prosecution had to show that the liquor was intoxicating before I could fine the party.

38208. Have you any knowledge whether other compounds were used in lieu of ordinary liquor?—I have been told of a number of compounds being used, such as bay rum, pain-killer and several others. Then there was some kind of beer, hop beer, used, which was about the worst of all.

38209. Have you considered the question of granting remuneration to brewers and distillers in the event of the passage of a general prohibitory law, for their loss of plant and machinery?—I have carefully read all the debates in the House of Commons in the old country on the question, and it is a very difficult matter to arrive at an opinion on it.

38210. It has been advocated that the law requires certain machinery and fittings and that these have to be changed from time to time in accordance with departmental regulations, and, moreover, it is necessary, under the law, to keep the liquor for a certain number of years for rectification purposes. If such a law were enacted, do you think brewers and distillers should be compensated?—The whole question has been debated in Parliament in the old country, and I repeat, it is a question on which it is very difficult to arrive at an opinion. I do not think my opinion would amount to anything.

*By Rev. Dr. McLeod :*

38211. Speaking of perjury that arises in those cases: Do you consider the perjury due to the system, to the man or to the whisky?—To the man. The men brought before me were generally of a certain class. We had very few respectable men in the trade, and although they spoke a great deal about it, they never wanted to inform. They even spoke to me about liquor being brought in, and when I said, "Give me information on which to catch the people, and they will be arrested," they refused to do so.

38212. Are the people who are called as witnesses generally of a very reputable class?—They are the men who brought it in.

38213. Do you think they were likely to perjure themselves if they were giving evidence in cases in which they had no personal interest?—Not so much I think—no, I do not think so.

38214. Why should there be a difference?—The reason was that they did not like the law and it did not appeal to their conscience.

38215. What is your opinion in regard to prohibition for the country as a whole: if the people were in favour of it, would it be desirable? If a large majority of the people were in favour of prohibition, it would of course be carried.

38216. Would it be desirable?—That I am not prepared to say. I have always been accustomed to the use of liquor myself since I grew up, and I was always given to understand that there was no harm in it unless you took too much.

38217. Have you observed, as a Judge, whether or not it has anything to do with cases of crime?—Yes, sometimes. I have had several cases in which it was certainly an element of crime. I had a case at Medicine Hat where liquor was the cause of the row that occurred there.

38218. Do you object to the principle of prohibition?—I object to it on both grounds. I object to the principle of prohibition. I think if a man wants anything to drink he should be able to have it.

38219. You think that even if there was a strong public sentiment in favour of prohibition, it would not be right or wise to enact such a law?—I did not say so. I said if a very large majority was in favour of prohibition it would be right to enact such a law, but I think it would require a very large majority to carry it out. One good reason I have for saying so is, that if such a law were carried by a small majority, it would be infringed by the very men who infringed before. They are the very men who go in for favouring prohibition, and yet go in for illicit trade.

HON. JAMES FARQUHARSON McLEOD.

38220. Do you think the people in favour of illicit trade are in favour of prohibition?—Yes.

38221. Is it general or is it only in localities where smuggling exists that people have such feelings?—Yes, where smuggling exists.

*By Judge McDonald :*

38222. It has been stated by Judge Hodgson of Prince Edward Island that in regard to the Scott Act the men who kept the worst shebeens were men in favour of the Scott Act?—Yes, that is what I have found here.

38223. Under the prohibitory law all are on the same footing, while under the license law such men could not hope to get licenses?—When the license law came into force the trade of those people was taken away.

*By Rev. Dr. McLeod :*

38224. Are the men who are licensed here the same men who were engaged in the illicit traffic before the enactment of the present law?—I think so.

*By Judge McDonald :*

38225. Have you any other suggestions to offer to the Commissioners?—No, I do not think so.

GEORGE ALLAN KENNEDY, M. D., of Fort Macleod, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

38226. How long have you resided at Macleod?—I have been here off and on for 14 years.

38227. Have you resided here all the time since you came to the Territories?—Yes, with the exception of 4 years.

38228. Where did you reside then?—I was surgeon of the Police, and I resided at different posts.

38229. Then you have seen the working of the prohibitory law and the license law in the Territories?—Yes.

38230. Which do you find preferable?—I prefer the license law.

38231. Were there difficulties connected with the carrying out of the prohibitory law?—A great many.

38232. What were they?—In the first place the law was never properly enforced. Then I think it gave rise at times to hardships.

38233. In what way?—Sometimes people when they wanted liquor could not get it. This is a long way from the base of supplies, and it takes a long time to get liquor here.

38234. Do you mean liquor for medicinal purposes?—Yes, I have seen cases of that kind in the early days.

38235. Were you troubled with smuggling?—Yes.

38236. In this section?—Yes, and at Fort Walsh and every place where I have been.

38237. What was the quality of the liquor?—Very bad as a rule.

38238. Have you noticed whether there has been an increase of drunkenness since the license law came into force?—It is very hard to say. I think, probably, there has been a slight increase.

38239. Is there more drunkenness to be seen?—That is a matter of opinion. I think there has been, possibly, a slight increase. I do not know that there has been more drunkenness, but more drink.

38240. Has there been an increase in the number of those engaged in the trade?—No.

38241. Were there more engaged in the traffic when it was illicit than now under license?—I think there were four or five times as many before the license law came in, and more than that probably.

38242. Judging from your experience, do you think prohibition was ever well enforced in the Territories?—No, I do not.

38243. Have you considered the question of granting compensation to brewers and distillers for their loss of plant and machinery in the event of the passage of a general prohibitory law?—I have not considered the question very much. It has, however, been drawn to my attention since the Commission sat.

38244. It has been urged that certain machinery and plant have to be put in by distillers and brewers in compliance with departmental regulations, and that, moreover, the liquor has to be kept for a certain length of time for rectification purposes. Do you think that under those circumstances remuneration should be made them?—I think if prohibition was enacted it would only be right to do so.

*By Rev. Dr. McLeod :*

38245. You spoke about the difficulty of getting liquor for medicinal purposes?—Yes.

38246. We have been told by witnesses here and elsewhere that liquor was never difficult to get, and certainly as regards Fort Macleod that there was never a lack of it here?—Not in the town, but people living at a distance from the town and in the country experience some difficulty.

REV. GAVIN HAMILTON, of Fort Macleod, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

38247. With what Church are you connected?—I am a minister of the Presbyterian Church.

38248. How long have you been in the Territories?—I came here on September 5th, 1891.

38249. Did you come here from one of the other provinces?—From New Brunswick.

38250. From what part?—From Restigouche County.

38251. Then you have seen the Territories both under the so-called prohibitory system and also under license?—I have.

38252. Which do you find preferable?—It will take me some time to explain. When I came here first, in 1891, prohibition was in force. There were from six to ten saloons here selling openly, without let or hindrance, so far as I know.

38253. You mean that liquor was exposed for sale to the public eye?—I never saw it, but men got liquor repeatedly and it seemed to be sold openly and publicly. There were two licensed places. These were permitted, but there were also other places which were known to be selling openly, six or ten at least.

38254. Were steps taken to stop the sale?—There were none. I do not remember a prosecution for violation of the law while I was here, and I might say I was here for eight months.

38255. Did you call the attention of the officials to these cases yourself?—I did. During the first six months I was here my health was very bad, I was suffering from throat trouble continuously, but that, I repeat, was the state of affairs.

38256. What were those licensed places allowed to sell?—I think it was beer.

38257. Was it the four per cent beer?—I do not know the law sufficiently well to be able to state what kind of beer it was.

38258. Have you any knowledge of smuggling going on since you were residing here?—I have no personal knowledge; it was very difficult to get information. The

GEORGE ALLAN KENNEDY.



traffic was continued to a certain extent by smugglers, and when the police could not discover particulars of the matter, I did not consider it my duty to turn detective, as I had no personal knowledge in regard to it. The liquor must have been brought in because it was sold.

38259. Have you lived in any country where prohibition was in force?—I have lived in Colchester and was pastor of a church there when they had the Scott Act in force and previous to that I was in York County, where I think they had prohibition.

38260. How did you find the Act work?—I know nothing about the County of York, but in Colchester, in the rural districts at all events, it was well enforced. In the place where I was pastor, which was my district and was eight miles in length and four in width, no liquor whatever was sold.

38261. In what part of the county was it?—It was the Township of Brookfield.

38262. Do you favour prohibition in principle?—I think so because I think it is advantageous.

38263. Do you consider the license system to be wrong?—Yes, I think it is wrong.

38264. Do you consider it is sinful—do you think it is a sin to license the traffic?—I think it is, according to the view I have; I consider the traffic sinful.

38265. In the event of a general prohibitory law being enacted for the whole country, do you think that brewers and distillers should be compensated for their loss of plant and machinery?—The question is: Have not the brewers and distillers and all those engaged in the traffic made very large profits? We have to look at it in that way. However, I am willing to allow men their own opinions. If the traffic was licensed by the law of the land and by Act of Parliament and, therefore, was legalized, I do not say they should not be paid remuneration. At least they should be remunerated for their plant.

38266. A clergyman who gave evidence in Brandon suggested that the licensed dealers also should be compensated for the balance of the year which there licenses would yet have to run. What do you think of that proposition?—I think the liquor traffic is a singularly profitable one and those engaged in it would not need any pecial remuneration.

*By Rev. Dr. McLeod:*

38267. Did you regard the system that was in operation here before 1st of May as a prohibition system?—Unless a system prohibits liquors being sold and sees that its laws are enforced, I would not call it prohibition.

38268. Do you think the condition in Colchester, where you lived under local prohibition, was preferable to any form of license of which you have known, including the license system here?—The use of liquor was confined to about seven families out of a hundred. So far as I could judge, as pastor, there were ninety families in which liquor was not used at all. I belonged to a temperance society and had public meetings in the winter about every month on the temperance question, and the conclusion was that they were enlightened on the subject and they were kept enlightened.

38269. Do you think the effect of prohibition there was good to the community at large?—I think, from my knowledge as a pastor, that the use of liquor in families can be easily discovered in the effect on those who use it; generally domestic relations are disturbed by the use of liquor. It is considered one of the damaging features and one of the worst engines we have to contend with as Christian ministers

JOHN HOLLIES, of Fort Macleod, hotel-keeper, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

38270. How long have you resided in the Territories?—Over 17 years.

38271. During all that time have you resided at Macleod?—I have resided in different places in the Territories.

38272. How long have you been at Macleod continuously?—A little over four years.

38273. When you first came to the Territories was there a permit system in force?—The prohibition system was in force. You could get a permit, although we never thought of it at first, but I believe it was part of the law.

38274. Was liquor got in during those days?—Yes, I saw liquor in the Territories when I came here.

38275. Do you know how it came in?—I think it came in with the traders.

38276. Where did it come from?—From Montana.

38277. It was brought across the boundary?—Yes.

38278. Was it alcoholic liquor, and if so what was its quality?—Yes. I recollect taking some, but I did not take a great deal.

38279. What was it like?—It was like something pretty hot as it went down your throat.

38280. It has been stated by some witnesses before this Commission that some people using liquor like it to scratch when it passes down?—Yes, it scratched the throat when it went down.

38281. Were there many people selling in those days?—Not that I know of.

38282. You say liquor was brought in by traders. Were they men who peddled?—Yes, some.

38283. Did they peddle the goods?—They gave liquor for buffalo robes.

38284. Was there any considerable white population in the Territories then?—Very little.

38285. As the white population increased, what change occurred?—The trading with the Indians dropped off altogether.

38286. Did the liquor stay out?—Not altogether, it never stayed out, it was creeping in a little more all the time.

38287. As it crept in was it still smuggled across the boundary?—Yes.

38288. Did it come in in the same way?—Yes, it never came from the east until the railway was built.

38289. After the railway was built it began to come in in that direction, I suppose?—Yes.

38290. In the latter days, before the license law came into force, was the supply of liquor, in the Macleod district, mostly brought across the boundary?—Partly from across the boundary and partly by wagons that would come up from Winnipeg. It was by far a better liquor, at all events it seemed to be better than the Montana whisky.

38291. Can you say whether, during your acquaintance with Macleod, liquor was sold openly and illicitly before the license law came into force?—The liquor was sold openly in a way. There was no public bar and it was not always sold over a bar. Four years have elapsed since I lived permanently at Macleod, and my evidence is in regard to what was done since that time.

38292. We understand there was open sale?—The sale was mostly beer, which was allowed.

*By Rev. Dr. McLeod :*

38293. Was it four per cent beer?—It was what I do not care to call it, for it was not fit to drink. It was sold for beer and was allowed by law.

*By Judge McDonald :*

38294. You are referring to the Territory before you came here?—Yes.

38295. Before that there was beer, or whatever it may have been called?—It was beer, but I do not know what the stuff was; I could not drink it.

JOHN HOLLIES.

38296. Was no other liquor sold then?—Whisky was sold surreptitiously.

38297. Were other compounds used, pain-killer and liquids of that sort?—I believe so.

38298. You have no knowledge of that yourself?—I believe it was so.

38299. So far as your knowledge goes, in how many places in Macleod was liquor sold illicitly?—I could not state from personal knowledge.

38300. Can you state from hearsay?—Yes, I believe I can count them up.

38301. How many could you count up?—I can count up about 26. From memoranda which I have, I can count up about 26.

38302. On what do you base your belief that there was that number selling?—On the statements made by other people.

38303. How was the liquor obtained by these people to sell?—It was got by what you call smuggling, that is, from men who ran the underground route.

38304. How was it brought in?—By teams and wagons.

38305. Do you know whether liquor was brought in concealed in packages?—No. I do not know it personally.

38306. You do not know that liquor was brought in in sugar barrels and barrels of rice and molasses?—No.

38307. Have you had any experience in ranching?—Yes, for ten years.

38308. From your experience, do you believe a prohibitory law could be enforced in the North-west Territories?—I hardly think it could be.

38309. So far as your knowledge of the North-west Mounted Police goes, do you think the force attempted faithfully to discharge their duties?—I think they did during former years. I think there was slackness during a few years, but that was owing to the police feeling that they were not supported; they felt that it was of no use to try and enforce the law.

38310. They were not supported, by whom?—By the people.

38311. You mean by the community?—Yes, by the community.

38312. Was the sentiment of the community, then, not in favour of the enforcement of the prohibitory law?—It was not favourable.

38313. Do you attribute that sentiment of the people to so many places carrying on the trade?—Yes. There was the feeling that the law was an unjust one; that it was made by a Government 2,000 miles away; that it was made against the wishes of the people and was directed against something that the people wanted; that it was against their feelings and ideas altogether, and that it was not wrong to break that law.

38314. Did you find a different sentiment prevailing against that law than against any other law?—Yes. While the people were willing to obey laws generally, they would break those liquor laws without compunction at all. I have heard people say that they would do so, and I have heard them say that they would not be legislated for as to what they should eat and what they should drink.

38315. Have you heard statements as to the quantities of liquor smuggled in?—Yes. They would bring it in in five or ten gallon kegs, or 100 and 200 gallons at a time.

38316. How far would they have to draw it?—About 225 miles from Benton.

38317. Do you know anything as to the prices they obtained for the liquor?—Only from statements made to me. They would say that they paid \$3 a gallon for it and they would generally get \$7 or \$8 a gallon for it.

38318. What was the price per drink?—Fifty cents a drink generally.

*By Rev. Dr. McLeod:*

38319. Were the trails from the boundary up here closely defined; did they have to follow the trails or could they come over any part of the country they pleased?—There are certain crossings of rivers and they would have to make for them. You cannot cross a river anywhere and you have to make for the fords, and that was the difficulty.

38320. Were they numerous?—They were not, but there were several of them.

38321. Do you think it was possible for the authorities to guard those fords and so prevent the smugglers crossing?—No, not to prevent smuggling. They would stop at those fords, and the smugglers would find others and cross at them. The force was not sufficiently large to be on duty all the time.

38322. How many members of the force would there be on duty at one time?—I could not tell you.

38323. I suppose it was an established trade regularly carried on?—They generally were safe on the trails, but they would cross a ford that you or I would never think of crossing.

38324. So you do not think they crossed at the regular fords, but found other fords at which to cross?—I know from what they have said to me, that they generally looked up some fords of their own. They would make a road to it, and of course in winter time they would travel anywhere as they could get the wagons down on the ice.

38325. Speaking of the laxity of the officials of late years, you attribute it to the fact that the people did not support the police. Do you think they believed it was the duty of the police to enforce the law, and they, as people, need not concern themselves particularly about it?—I think that was the feeling of a few. The police felt that they were not supported and the whole thing gradually fell through and no notice was taken of the law during the later period.

38326. We have heard in some places in the Territories that the police were tipped, that they received money from the smugglers and illicit sellers. Did that obtain here or not?—I believe it did with respect to some of the constables of the force, but there were some just as anxious to do their duty as there were some to sell themselves. As a body I do think they were earnest in trying to catch smugglers. But of course individual cases occurred—I do not think it was a general thing.

38327. Was there any proportion of the police who desired enforcement of the law in Macleod?—There were a few who desired to see the law enforced in Macleod, but they blamed the system.

38328. What feature of the system did they blame?—Some blamed the permit system in consequence of which the police did not know what to do. The people felt that they did not want to be legislated against and so the law was not enforced.

38329. The law was there when the people came there?—Certainly, they must have known it.

38330. Would it have been a fair proposition to have submitted to the people of the whole Territories the question as to whether they wanted a prohibitory enactment or a license law?—Of course it would be fair.

38331. That was not done?—No, except through the Legislature.

38332. Was this question made an issue at the election?—It was tried to be made an issue, but the feeling of the people was strongly against making it an issue at the election.

38333. I was speaking of the Macleod district?—Down here we felt that we had had enough prohibition. I mean suppose a man had come out as a prohibition candidate, he might as well have stayed at home because he would not have been elected as the people had had enough prohibition.

38334. Have you been keeping hotel ever since at Macleod?—Yes.

38335. Did you have a bar prior to 1st of May last?—Yes. I had a license before that, under the four per cent system. I had no bar before that time. I kept hotel for three years without a license.

38336. We have been told throughout the Territories that after 1888, when the four per cent arrangement came in, that arrangement to sell enabled a man to sell anything. Do you know anything about that?—It did not do so.

38337. Did it give the seller any permission to do so?—I do not think so. It did not affect the trade down here.

38338. Do you know that when a man had a license to sell four per cent beer he sold whisky?—He may have done so.

38339. I think we heard to-day that there are only two licensed places here and they are both hotels?—Yes.

38340. Are there any wholesale licenses issued?—There are three wholesale licenses issued.

38341. Do you think there are any other places selling, I mean places without licenses?—I hardly think so, I do not know.

JOHN HOLLIES.



38342. Do you think the amount of drinking has lessened since these places have been licensed?—I think it has lessened.

38343. Do you think the licensees observe the provisions of the law?—I think they do.

38344. Are the houses closed during the prohibited hours?—I think so.

38345. And are not open on Sunday?—I think not, so far as I am concerned myself I do not.

38346. And you are one of them?—Yes.

38347. Do you know as regards the others?—I suppose they observe the law.

38348. What is the least quantity that can be sold under the wholesale license?—I think one bottle.

38349. Do wholesalers retail by the glass?—I can scarcely say that, I do not know.

38350. Do you suspect them?—I suspect one wholesale place of retailing, I do not suspect the rest.

38351. Is the store of the Hudson Bay Company one of the wholesale places?—Yes.

38352. I was anxious to know whether that company did a wholesale business?—Yes.

38353. Do you know whether the Hudson Bay Company had any shipments of liquor prior to the license law?—They had permits.

38354. For large quantities?—Yes.

38355. What did they do with liquor after it came in?—They gave it to any one who wanted it.

38356. Do you mean that when a party got a permit he would send it to them to be filled and they would ship it to the consignee?—Yes. They were importers. Take myself: I go to them and show that I have a permit and want to get the company to fill it. The liquor afterwards comes in through them. It comes in through them by express, and it is handed to us when it arrives.

38357. They import for you?—Yes.

38358. Speaking of the permits you have had: Prior to 1st May last did you get permits for whisky, brandy and that kind of liquor?—No, prior to 1st May last was before I opened my bar. For three years I was without a bar, and prior to that time I got a permit for my own personal use.

38359. The liquor was not for sale?—No.

38360. You had no bar up to 1st May?—My bar was opened last August, 1891.

38361. Was that after you had a license to sell four per cent beer?—Exactly.

38362. Since then your license has covered everything?—Yes.

38363. What have you to pay for a license?—\$200 a year.

38364. Do you pay anything to the district?—No. It is not incorporated and there is no one to collect.

38365. As an hotel man coming into contact with the people and as one observing what is going on in the country, have you noticed whether the liquor traffic in its effects injures or benefits the community?—I could answer that question both ways.

38366. Please answer it.—Yes and no, because there is a part of the community to whom it is injurious and there is another part who are greatly helped by it.

38367. You refer to the liquor licensed trade as it is carried on. To what part of the community is it beneficial?—To the parties who use liquor, and of course to the traveller.

38368. To whom is it an injury?—To those who drink to excess.

38369. Does the law allow liquor to be sold to those who drink to excess?—The law allows wholesalers to sell over one bottle and if a man drinks a bottle that is drinking to excess.

38370. Is there no check on that?—Not on the wholesaler. The only check is in the man himself.

38371. I suppose it is scarcely necessary to ask whether you believe in prohibition or not?—If you ask me, I say I do not.

38372. Do you object to the principle of prohibition or to the practicability?—To both.

*By Judge McDonald :*

38373. Speaking about the class who use intoxicating liquor, I desire to ask this question : take 100 men who use intoxicating beverages, what proportion would use them to excess ?—I should say, according to my observation, 10.

38374. And the other 90 would use them in moderation ?—Yes.

38375. Take the settlers of this country. You have a class of people coming in here from Great Britain, Germany, France and other countries, people accustomed to the use of ales, wines, whisky and other beverages. If they had to choose between a country for settlement that has a license law and where they may obtain what liquor they wish to use, and a country where they would not be allowed to use liquor, which country would more likely obtain that settlement ?—So far as my opinion goes I would say the country where there was a license law in force and where they could get the liquor to which they had been accustomed.

38376. From your ranching experience in the North-west and coming into contact with the people, what did you find to be the sentiment of the people ?—The sentiment is mostly in favour of license.

38377. Was it opposed to the prohibition system ?—It was greatly opposed to the system.

38378. Then you have found also that the people object to legislation being forced upon them of a character that they do not want ?—Yes, that was just it. There was great dissatisfaction with respect to the law which was forced on them, and a different state of things from which they had been accustomed. They had been trained to judge for themselves in regard to those matters, and they felt they were being interfered with as regards what they considered to be, and what I consider to be, our rights.

38379. You think in the community there exists a sentiment in regard to the prohibitory law different from the sentiment in regard to other laws ?—Yes, undoubtedly.

*By Rev. Dr. McLeod :*

38380. Speaking about the percentage of people drinking to excess : about what is the percentage of people in the Macleod district who drink more or less ?—I should say about 20 per cent.

38381. And about 10 per cent drink to excess ?—Yes, that is my opinion from my own observation.

38382. Have you observed whether among the 90 per cent who drink moderately there is a tendency to drink to excess ?—Not beyond the 10 per cent.

38383. Have you observed whether many young men, boys, have the drinking habit ?—Boys are not allowed to obtain drink.

38384. Boys under what age ?—I think about 18.

38385. Have you observed whether there are many between 18 and 25 who have the drink habit ?—I may say that in Macleod there are few under 18 who get liquor.

38386. Have you observed whether licensed places are a temptation to young men to congregate there and acquire the drink habit ?—I do not think so. In the first place they would not be allowed to congregate there.

38387. I refer to young men of 21 ?—Yes.

38388. Would young men about 19 be allowed ?—There are not very many of them. My observation at all events would not amount to much on that line.

38389. Have you observed whether members of the Mounted Police force are generally drinking men ?—They are about the same as other drinking men, a great many do not take liquor at all, and there are not many of them who drink to excess.

38390. Then as a body they drink, but not to excess ? The police have their own canteen.

38391. They only sell beer, I believe ?—I do not think a great many take ardent spirits, because with them it is about the same as with the general community.

38392. About 90 per cent of them drink something ?—I should judge so. My experience, however, does not extend very far in that respect. The commissioned officers would be better able to tell you and answer all questions.

JOHN HOLLIES.

38393. Do you have much travel to Fort Macleod?—More or less. Sometimes it is very slim and at other times it is very busy.

38394. Are they generally commercial travellers?—Not generally, but there is always quite a lot of them.

38395. Have you observed whether 90 per cent of the travellers coming to your hotel are drinking men?—I do not think my experience has extended so far, I do not think I have looked to see whether a man drinks or not.

38396. Could you run a hotel without a bar?—No.

38397. Why?—It would not pay. I tried it for three years straight along and I know.

38398. Are we to understand that the men who do not drink and who patronize your hotel, do not pay for what they get. For instance, I go to your hotel and you charge \$2 per day and I do not patronize your bar: does the rate of \$2 per day pay for what I get?—Yes, that would pay all right.

38399. If everybody did that I suppose they would pay for what they got according to your charge?—Yes, but you do not put the circumstances fully. There are a great many people living in Macleod who have to stay here and I cannot charge them \$2 per day because it would be more than they could pay.

38400. Would you charge a sufficient amount for feeding and boarding them?—Yes.

38401. If so, would not that pay?—The margin would be so small that it would not pay. There are many expenses you cannot charge, such, for example, as having men wait in the hotel. Moreover, travellers do not come right along steadily, but the expenses would go along just the same. You cannot charge a man staying in the hotel such a price as you have mentioned.

38402. Then is it not a fact that you are charging total abstainers what they actually cost you?—You might be charging what they actually cost, but you have to depend on the amount of travel. Of course, sometimes, instead of three or four coming to the house, a dozen men may come. The number of servants is not increased neither are my general expenses, but the travel is increased, so that my pay is increased and I am able to pay my way. If I have only a few guests my general expenses go on all the same as if I had a great many.

38403. And you have to fall back on the bar?—It is necessary to fall back on the bar.

38404. Is it fair to the bar to make it support the house, and is it fair to the people who do not patronize the bar to make them pay?—That is fine in theory, but you have to go by facts. You have to billet guests and fix a regular rate. My regular rates are those that I can afford to give to the travelling public.

38405. I think you should charge fully the men who do not patronize the bar?—That is your opinion. Of course if I met many nice men who preferred your plan, I might get them to follow it. I cannot, however, run my establishment on other men's ideas.

38406. Certainly this seems to be the fact, that the man who does not patronize the bar practically does not pay for what he gets?—As I stated before, he might pay and he might over-pay. It would depend on the rate charged. \$2.00 a day would pay me.

W. H. PATRICK, of Fort Macleod, rancher, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

38407. How long have you resided in the Territories?—About 16 years off and on most of the time.

38408. Have you resided in different places?—Yes, pretty much all over the Territories.

38409. From what section of the country did you come to the Territories?—From Manitoba.

38410. Have you been at Edmonton, Prince Albert and other places?—Yes, in the early days.

38411. All along the boundary also, I suppose?—400 or 500 miles east of here.

38412. During all the time you have lived in the Territories have you been engaged in ranching?—I have been at different occupations, driving cattle, ranching and farming.

38413. Then you have been engaged in the ranching business?—Yes.

38414. And have you done a great deal in connection with farming?—I have been farming the whole time.

38415. When you first came to the country was the prohibitory law in force?—There was no law.

38416. And when did the prohibition law come into force?—It came in when the North-west Mounted Police came in.

38417. So far as your observation goes did the North-west Mounted Police honestly endeavour to do their duty?—Yes, to a certain extent, to the best of their ability.

38418. You think the force, as a whole, made an honest attempt to carry out the law?—Yes.

38419. There may have been individual instances of failure you think?—Yes. I suppose so. I do not know any case in particular. There were some reports to that effect, but no proof was given.

38420. Have you reason to believe that intoxicating liquors were smuggled into the country to any extent?—Yes, I am sure of it.

38421. From what point did it come?—From the United States and from the east, and from every point.

38422. From the east?—Yes, most of it came from Manitoba.

38423. Do you know much about the quality of liquor that was brought in from those places?—Some of it was very poor stuff.

38424. Do you know how it came in, in what shape?—In all shapes.

38425. Do you know the class of persons who brought it in?—They were all kinds.

38426. Did not all the men sell other goods at the same time?—Not that I know of.

38427. It seemed to be a branch of business to itself?—Yes.

38428. Is liquor brought in from Montana?—Yes.

38429. What distance would it have to be brought?—Macleod is about 225 miles from Fort Benton and Great Falls, Montana.

38430. Do you know if any caches were provided where the liquor was hidden?—I do not know of any, but there certainly must have been some.

38431. Was the liquor brought in carts?—Yes, and in wagons.

38432. How do you suppose the smugglers were able to avoid the North-west Mounted Police?—It was very hard for the police to watch so many at a time. The whole population was in favour of getting in liquor, and so they got it in.

38433. Did the length of the boundary cause the difficulty?—It certainly did. There is, of course, a long stretch of boundary, and there was scarcely any settlement at that time.

38434. As settlement increased, did it right the difficulty?—I do not think it did; I rather think it increased it.

38435. Do you know anything as to the cost of liquor in those days?—The cost was from \$10 to \$40 a gallon.

W. H. PATRICK.



38436. Take the country through as you knew it, did there appear to be much liquor in the hands of the people?—Pretty nearly all the people wherever you went appeared to have liquor, more or less.

38437. Were there any sections or towns or villages where liquor was exposed openly for sale?—Decidedly, but very seldom.

38438. Did you ever see liquor brought in and sold in other packages, such, for instance, as barrels of rice, sugar or molasses?—I never did myself, but I know it came in in that way. I have often heard it spoken of.

38439. Did you ever hear of use being made of pain-killer, Jamaica ginger and substances of that kind?—Yes, frequently.

38440. Did you ever see red ink used?—No, I cannot say I did.

37441. Taking the people of the Territories as you have known them, were they people who were moderate in their drinking and temperate on the whole, or were they otherwise?—Yes, they were as moderate as the people of other countries I have been in.

38442. Taking the bulk of the people, they were moderate, you say?—Yes.

38443. You say that your experience was that the general sentiment prevailed against prohibition?—Certainly.

38444. And in favour of the people having what they wanted?—Yes.

38445. From what you know of the Territories and your experience, do you believe that a general prohibitory law for the whole Dominion could be effectually carried out and enforced?—No, I do not think it could be done.

38446. Have you seen the working of the license law since 1st of May?—Yes.

38447. How does it appear to work?—It is much better and is a great improvement on prohibition.

38448. Take Macleod before 1st of May and since that time: were there more places for selling before than since the license law has been in force?—There were far more before.

38449. Can you give us an estimate of how many there were?—I think there were about eight different places in town where you could get good liquor.

*By Rev. Dr. McLeod:*

38450. You have had experience in regard to the Indians, I suppose?—Yes.

38451. Has there been much sale of liquor made to Indians?—Not of late years.

38452. Was there in the early days?—Yes.

38453. Was liquor given in exchange for furs?—Yes.

38454. Did the police put a stop to that?—Yes. I think the fact of the Indians getting better has been more due to their not obtaining liquor than anything else, and they had nothing with which to buy it.

38455. Did the traders in the old days barter with the Indians?—Yes.

38456. Did the police put a stop to that?—Yes. They stopped that all right enough, of course.

38457. Have you noticed since 1st of May that there has been an increase in drunkenness amongst the Indians since the license law came into effect?—I do not think so, at all events not until to-day. To-day I saw in Macleod the first Indian drunk that I have seen for five years.

38458. Are you aware whether there has been any difference among the Half-breeds?—No, they got as much liquor before the license law as they do now.

The Commission adjourned, to meet at Banff.

BANFF, November 12, 1892.

The Royal Commission on the Liquor Traffic met here this day.

*Present :*

JUDGE McDONALD.

REV. DR. MCLEOD.

FRANK HARPER, of Banff, Inspector of the North-west Mounted Police, on being only sworn, deposed as follows :—

*By Judge McDonald :*

38459. How long have you resided in the Territories?—Close on 13 years.

38460. Did you come here from one of the other provinces?—No, I came from England.

38461. During the time you have been in the Territories have you been at other places than Banff?—Yes, at Maple Creek, Lethbridge, Macleod, Regina and other places.

38462. Have you, during the whole time of your residence here, been connected with the North-west Mounted Police?—Yes.

38463. Part of the duty of the force has been to enforce the prohibitory enactment of the Territories, I suppose?—Yes, up to 1st May last.

38464. Speaking from your own experience, have you found the force faithful in the discharge of their duties?—Yes.

38465. Have they been vigilant all the time?—Yes.

38466. From your statement I should judge that you had been in the southern part of the Territories part of the time?—Yes, I have been there most of the time.

38467. What were the principal difficulties that the force had to cope with in carrying out the law?—The popular sentiment was entirely against it.

38468. What were the modes of breaking the law?—Smuggling. There was abundant means by which liquor could be smuggled in. They would smuggle it from British Columbia and from other quarters. Whisky men would go west in the morning and engage a Pullman berth at a place where the train stops half an hour for supper. During the time it was there he would make arrangements with the porter, by which he filled his berth with kegs of whisky. We were not allowed to search Pullmans for whisky. When he got near Calgary the liquor would be thrown off just before the train pulled in. Another way was that a man coming down in the colonists' car would use rubber beds and pillows filled with whisky. They had it all over the train. It would be in the berths, on the top, underneath, in front, on the engine, on the tender and where the water was kept and they would let down tanks and kegs with a rope and let it stay there in the tank. It would be dropped off at convenient places and they would have men there on the spot ready to carry it off. Of course the officers could not watch all these places. Liquor has also been smuggled in consigned as lumber. The men would pile the lumber at each end and at the sides and fill the centre with barrels of whisky. When Sir Lester Kaye was building his farm and getting large quantities of lumber in, large quantities of liquor would come in consigned to him as lumber and it would be put off at some siding. Directly it was put off the men would be on hand and cart it away.

38469. We have been told that packages of liquor were consigned to people for whom they were not intended?—Yes.

FRANK HARPER.

38470. And that the people for whom they were intended would come and get the packages and take them away?—Yes, lumber was consigned to Sir Lester Kaye that he had never ordered, and he would never get it, for it would be left at some siding and the liquor would be taken out from the centre of the car.

38471. People made use of his name to get in liquor?—Yes, I seized one car here myself. It contained lumber and also 500 or 600 gallons of liquor, which was addressed to him.

38472. What kind of liquor?—It was "G & W, four years old," gin and Scotch whisky. There was a bonded warehouse at Banff at this time and liquor was kept there to a certain extent; but since the license law has come in the proprietor has asked the Government to do away with it for there is no sale for liquor.

38473. You say that is at Banff?—Yes.

38474. When you were in the southern part of the Territories did liquor come in?—A great deal was smuggled in. It was brought in from Fort Benton in the United States by teams.

38475. Did you ever make seizures?—Yes.

38476. What kind of liquor was generally seized?—Very bad. It was principally whisky, but I think it was really vitriol or at least it was some bad stuff. The liquor since the new law has been in force has been very much better.

38477. Did you ever make any seizures in the southern part?—Yes.

38478. What class of men were engaged in the business?—The man I got was an old policeman in the force.

38479. He was not in the force at that time?—No, he had left the force. The way they brought it in was from the United States; they would cache it some distance away from town or settlement, and then would bring it in in small quantities at a time.

38480. Have you ever known compounds used as drinks?—I have known men drinking Jamaica ginger and pain-killer, Florida water and different essences and a variety of scents. I know that a great many people at that time, merchants and others, made up scents and essences and a small quantity of alcohol was put into the mixture and the people drank it. One of the Macleod people made Jamaica ginger. When we searched the place we found alcohol, different kinds of essences, cayenne pepper and a lot of old Jamaica ginger bottles, but the compound seemed to be composed chiefly of alcohol and not much of ginger. He had, however, all the appliances for making ginger.

38481. We understand that part of the duty of the force was to make domiciliary visits?—Yes. We could search anywhere, that is a commissioned officer could, or a policeman under the orders of a commissioned officer.

38482. Did you ever make personal search?—Yes.

38483. And found liquor?—Yes.

38484. What was done with it?—It was destroyed.

38485. Poured out on the ground?—Yes.

38486. Take the liquor found in the lumber, was it destroyed?—Yes, it was poured out on the ground.

38487. How long have you been at Banff?—Five years.

38488. Have you ever known parties here get in liquor and have a regular drinking bout?—Yes.

38489. Have you had any experience of the working of the permit system?—I had a great deal. I consider that in the early days, before the railway came in, it worked fairly well; but since, it did not work well at all. Permits were given under fictitious names. In the old days when you searched a man's place and found liquor it had to be shown that it came in under his own name, but under the decision of one of the Judges, it was afterwards ruled that so long as he had permits to cover the liquor that might be on his premises he was protected, although there might be one or one hundred permits. Judge Rouleau ruled that way.

38490. You say that liquor could be brought in so long as it was not for the purpose of barter and sale?—The parties were only granted permits for medicinal and domestic uses.

38491. But could not a person who had received liquor on a permit transfer his permit even if it was for his own use?—It was impossible to prove a sale.

38492. Taking all the cases you have mentioned, do you believe they are sufficient evidence as to what public sentiment was in the Territories with regard to the prohibitory law?—I do.

38493. Did the people resist those laws?—Yes, I have had a great many cases before me as Magistrate. The people thought nothing of swearing to a lie in regard to liquor cases, and in fact they thought no harm was done.

38494. Did they view liquor cases differently from any other cases?—That law was an unpopular one, depriving them of the right to drink what they liked, and they considered they had as much right to have liquor as any one else. I have known witnesses to come up and swear to that which I knew was a direct lie.

38495. As an officer you have been connected with the administration of justice, taking part in it for a number of years. What did you find the effect to be on the public conscience of having a law on the statute-book that was persistently violated?—It was very bad.

38496. You think the law would be a good one, if carried out?—Yes, the prohibitory law would be a good one if carried out, but I think it is impossible to carry it out. I think the present law is very much preferable to the permit system that was previously in force.

38497. We have noticed that there is a very large hotel here as well as the one in which we now are, and to both of which travellers come from all parts of this country and of the world. What do you think would be the effect if all the guests on arriving here were deprived of liquor?—I think it would be a great injury. Before the license law came into force on 1st May last, the Canadian Pacific Railway hotel and this hotel had licenses from the Lieutenant-Governor to sell wine and beer but no spirits. There are a great many travellers, especially English guests, who must have their whisky and water before going to bed. They must have it, or they will not remain.

38498. You, yourself, are an Englishman?—I am.

38499. Taking the English people as a rule, and taking the German and other different classes of people who are accustomed to partake of intoxicating beverages in moderation. If people coming from foreign countries find there is one section of this Dominion where they can obtain liquors to which they have been accustomed and another section where they cannot obtain them, because a prohibitory law is in force, the conditions otherwise being equal, to which section would they be likely to go?—They would prefer a license country.

38500. Are there any suggestions you can offer to the Commission in regard to the license law itself or any amendment thereto?—I think the license law if enforced would be an excellent thing, and it could be very much more strictly enforced than it is to-day, for at present it is not carried out strictly. There is a License Inspector appointed to carry out the law, but he lives at Calgary; and there should be more stringent orders given to the police to assist the Inspector in carrying out the law. One of the provisions of the law is that liquor shall not be served to a man who is intoxicated. There should be a very severe penalty imposed for a breach of that provision.

38501. The law also prohibits sale to minors?—Yes, also during prohibited hours and as regards keeping open on Sunday.

38502. How is the law observed in regard to sale to minors?—I do not know.

38503. And to drunken men, you think liquor is sold?—Yes.

38504. As to keeping open on Sundays and after hours how is that provision observed?—The provisions of the law are not observed as regards Sunday.

38505. Has the license law in its main features been carried out?—Yes. Additional officers might be appointed if necessary, and vigorous efforts should be made to compel licensees to keep within the law, though I, myself, hardly think there is as much drunkenness, certainly in my section and among the mining men down at Canmore and Anthracite, under the license law as there was before. One reason is that many people have given up drinking liquor, especially compared with the early days and during the prohibition period, when a man would not have an opportunity of getting a drink

FRANK HARPER.



for weeks and he would take a big drink when he had the chance. During the permit system you would see men who would never be drunk under the license system have a number of big drinks and then get drunk.

38506. Were you accustomed to miners before you came to this country, did you live in any mining section?—Yes.

38507. From your experience, then, you are able to make comparison between the miners in this district and in England?—I am acquainted with the miners in Lethbridge.

38508. Does the same remark apply to them as it does to others?—Yes, I am not, however, making special reference to miners, but am speaking of drinking in the early days. I am speaking generally, not particularly of miners, but I may say that I do not think there is as much drunkenness among miners in this section since the license law came into force as there was previously.

*By Rev. Dr. McLeod:*

38509. Did you observe whether there were a great number of permits issued?—Permits were numerous. Latterly that was the case; in the early days the permits were not so numerous and, moreover, there were not so many people in the Territories.

38510. Was there any discretion exercised in the issue of permits, according to your observation?—Yes.

38511. Do you think they were issued for cause, or were they issued to almost every one who might apply?—Sometimes they were not issued; it depended on the applicant. Sometimes a permit was refused and the man would then go to the representative of his district and say that he wished a permit to be issued and granted to him; the member would write a private letter, and as a rule the permit would be granted.

38512. Then, I suppose, the permit could not very well be refused?—No, there was a good deal of difficulty sometimes to obtain the permit.

38513. And when obtained was it not used to cover liquor wherever found?—That was the case in this district. There was no use convicting a man for having liquor in his possession for it would be found to be covered by a permit, and in case of conviction an appeal would be taken to Judge Rouleau, who decided that so long as a man had a permit to cover a certain quantity of liquor it did not matter where the liquor was. So a man might have smuggled in whisky and when it would be discovered by an officer he would immediately produce a permit to cover that quantity, and that permit stood between himself and trouble. So long as he had that permit he was safe.

38514. If liquor was seized on a man's premises and he had no permit, but before prosecution could be carried to a conclusion he applied for one and got one, would that covered the quantity and would he be safe?—I have known of such cases.

38515. Were applicants for permits ever referred to you to report as to whether they should be granted or not?—Yes.

38516. Have you reported sometimes against the issuing of permits to certain individuals?—Yes.

38517. Have permits been issued over your reports against such being granted?—Yes.

38518. You have had cases like that?—Yes.

38519. From your knowledge of the way in which permits were granted, have you come to the conclusion that the system of late years was not one of prohibition but rather of permit?—It was one of permission I should say.

38520. Under those circumstances it was difficult to detect smuggling, of course?—Yes.

38521. We have heard that police constables were not allowed to search Pullmans?—Yes.

38522. Was the fact that Pullmans were used by smugglers ever brought to the attention of the authorities, within your knowledge?—Yes.

38523. Did they try to prevent it?—No.

38524. The same condition continued?—Yes.

38525. Do you think there is more or less drinking now than there was before the license system went into operation?—I think when the license system went into force, that is to say for the first month, there was more drinking, but at the present time I do not consider there is as much.

38526. Will you tell the Commission whether there is more or less sold now than previously?—I could not tell that.

38527. Before the license system went into force, was selling quite openly carried on?—It was open to the general public, but not to the officials.

38528. But the people generally knew where liquor was to be had?—Yes, you could always get liquor.

38529. Have you not had more cases of drunks before you as a Magistrate since the law came into force than you had before; do you keep a record of the cases?—Yes.

38530. Will you favour the Commission with the record of the cases since the license law came into operation, and the record for a similar period previously?—Yes. I would have to take the record for a certain number of months, because the mines are shut up for a certain period during the summer months. The mines at Canmore have only been developed during the last year or two. They were carried on on a small scale at first, but now there are about 250 men working there.

38531. You have stated that the license law is not very well enforced?—Yes.

38532. To what do you attribute that non-enforcement? I understand the enforcement rests with the Executive at Regina?—They have the power to cause the law to be more stringently enforced.

38533. Whose duty is it to enforce the license law?—There is no one here. The License Inspector lives in Calgary, and he visits the place.

38534. So you, as a Mounted Police officer, have not the same authority as you had under the old law?—No.

38535. And, except when the Inspector makes occasional visits, there is no one to look after the enforcement of the law here?—No.

38536. Have you noticed whether the men who have licenses pay attention to the law and its provisions, or do they sell whenever they can make a dollar?—They sell when they can. It matters not whether it is during prohibited hours or not, they sell whenever they see a chance to bring a dollar into their pockets.

38537. Are there sales made on Sunday?—Yes.

38538. Is it your belief that this license law does not practically regulate the trade?—I do not think the license law does. I suppose the revenue of the Territories is increased by it. Men know they are not as liable to be searched as they were before; they know when the License Inspector comes on a visit, and that he is the only one in the district, which extends from Calgary to Banff, and south.

38539. So he cannot look very carefully over the district?—No.

38540. You have spoken of perjury taking place in cases coming before you. Do you think it is the law that is accountable for this, or is it a fact that they have been parties to the violation of the law as purchasers of the liquor?—No, I do not think it is the law.

38541. Do you find this, that a witness called to testify regarding violations of the law, is unwilling to testify or tell the truth, because he had been a party to the violation by purchasing liquor?—They may have been purchasers, but not in the particular case I have spoken of. In some of the cases coming before me they may be witnesses, and yet have nothing to do with the case; they may have been called up in regard to the selling of beer, and have declared that the drink the men got was beer, men who were sitting at the bar or getting a drink.

38542. Such men, of course, were frequenters of the place?—Yes.

38543. Speaking of beer, do you suppose, after the introduction of the four per cent beer arrangement, it was still more difficult to deal with the matter?—Yes.

38544. Do you suppose that under the pretense of selling beer they would sell all kinds of liquor?—Yes.

38545. Does the license law really regulate the trade more than the so-called prohibition did?—Yes, I think it does, because a man has to pay a large license and he will look after illicit sellers for his own protection.

38546. Are there any persons other than those licensed selling now?—There may be one or two, in fact I am pretty certain there are.

38547. Do the licensees make complaint against the men who sell and have no licenses?—No. When the beer law came into force in Banff, there were certain licenses

FRANK HARPER.

granted to hotels, and there was a man who was selling then and he continued to sell. The licensed men went and told him to give up selling or they would inform on him.

38548. Did he give up?—Yes.

38549. Have you observed the effect of the liquor traffic and the liquor habit on various interests touched by them, business interests, social and home interests and the morals of the people, whether the effect is beneficial or injurious in any degree?—I think it is injurious.

*By Judge McDonald :*

38550. Do you mean when liquor is used in moderation or in excess?—I think it is injurious in this part of the country and up here.

38551. How many persons were selling at Banff before the license law came into operation?—Certainly six were selling retail. Sometimes, of course, merchants would get in large quantities and would sell it wholesale.

38552. How many licenses are there to sell retail now?—During the summer there are four, when the Canadian Pacific Railway hotel is not open there are only three.

38553. Would you favour the appointment of a local officer in order to inspect the places here and see that the law was better enforced?—Yes, and to make it more decidedly the duty of the police to carry it out.

38554. I understand, that taking the prohibitory law with all the Mounted Police endeavouring to carry it out and taking the present law with only a small number to enforce it, you think the license law preferable?—Yes.

38555. In making such a statement as has been spoken of, taking six months of this year and six of last year, would it be a safe comparison and a fair one, when you take into consideration the increase of miners at Canmore?—I do not think it would, unless you took that question into account—you would have to take into account the fact that mining interests have been largely developed.

38556. So the circumstances are different?—Yes.

38557. So you could not make a fair comparison?—Not unless you took into account the changes in population and the change in the character of the population.

38558. In regard to the question of parties sending and obtaining permits after their liquors have been seized and using them to cover such liquor, I understand that your officers would not receive them. Would there not be any question as to the date of those permits?—The date would show that they were issued after the liquor had come in.

38559. You do not mean to say, of course, that the authorities who granted the permits were trying to protect the people whose liquor had been seized?—No, nothing of the sort. The date on the permits showed that they had been issued after the liquor had been brought into the Territories. Of course the parties tried to get the permits afterwards in order to protect themselves.

38560. They wished you to accept the permit which was issued after the liquor had been seized and so let them free?—Yes.

38561. Which you very properly refused to do?—Yes, certainly.

38562. They would still retain the permits themselves?—Yes, and they would bring in more liquor under them afterwards.

38563. In cases of permits being issued over your report, when in fact you had reported against them, had you any knowledge as to what other recommendations had been made that led to your report being overridden?—In some cases I have known the representative of the district making recommendation. At one period it was necessary that all permits should be recommended by members of the Assembly for the district in which the applicant resided.

38564. On that ground the Governor issued permits on the recommendation of the representatives, and in fact he acted entirely on those recommendations?—Yes.

38565. I suppose there were many cases in which your reports were acted on?—Certainly.

38566. And liquor permits were refused?—Yes. In many cases permits were refused on my advice—a great many were so refused.



*By Rev. Dr. McLeod :*

38567. In cases in which permits were issued over your reports had you still reason to think that they should not have been issued?—I had.

38568. Would that be in cases of men who had been selling liquor?—Men who had been selling, and men who I knew were whisky traders.

38569. In those cases or in some of them your report was overridden and permits were granted?—Yes.

38570. How many sellers are there under license here?—One wholesale and three retail in the winter when the Canadian Pacific Railway hotel is not opened, four when it is open.

38571. Are there no other sellers outside those?—No.

38572. In some places in the Territories we have obtained evidence of this kind : That police constables were rather subjected sometimes to severe temptations in the way of bribes or tips, and as they were men on comparatively small salaries they were open to temptation. Was that the case in your district in any degree?—I have known of bribes being offered to my men. In fact I was offered a bribe. I was offered \$500 in my hand if I would allow a man to bring in some liquor.

38573. You refused it with scorn, I suppose?—I did.

38574. Had you reason to believe that your men—and they are ordinary men—were open to temptation in any case?—I believe so ; I have never known, however, personally anything of the sort to occur.

GEORGE A. STEWART, of Banff, Superintendent of the Rocky Mountain Park, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

38575. You are Superintendent of the Rocky Mountain Park, I believe?—Yes.

38576. You are appointed by the Dominion Government?—Yes.

38577. You are under the Department of the Interior?—Yes.

38578. How long have you lived in the Territories?—For 12 years.

38579. How long have you lived at Banff?—Nearly 7 years. I came here in the winter of 1885-86.

38580. Where did you live before that?—At Winnipeg.

38581. Did you come here from one of the other provinces?—From Toronto, Ontario. Latterly from Port Hope.

38582. What are your duties and what are your powers?—My duties in the early stage of the Park were to make a topographical survey. I was appointed Superintendent six months afterwards, or perhaps a year afterwards.

38583. Are you an engineer and land surveyor?—I am a Civil Engineer and Land Surveyor. The object of the Government in sending me here was to make a topographical survey, and nothing was then spoken about my being appointed Superintendent. But the Minister of the Interior visited here in 1886 and spoke to me about taking charge of the work, and I have been carrying on the work until now.

38584. What is the extent of the Park?—260 square miles, 26 by 10 miles.

38585. Have you any jurisdiction as a Magistrate?—I am a Justice of the Peace. Before there was an Inspector here I had all the work and looked after different matters.

38586. Since you have been here, and before 1st May last when the new license law came into force, had you reason to believe that liquor was brought in illicitly to any extent?—Yes.

38587. From what section of the country?—From different directions, both east and west.

FRANK HARPER.



38588. What you call smuggling?—Yes.

38589. Were you called upon officially to deal with such matters?—Yes.

38590. On parties being brought before you for illicit traffic you deal with them, I suppose?—Yes.

38591. What kinds of liquor were brought in mostly?—Whisky.

38592. Did you hear in what ways it was brought in?—Yes. I had a couple of policemen here to assist me. There was a good deal of rowdiness here when I first came. During the winter of '86 there were many disreputable character here who had followed the construction of the railway. After the railway was completed the community settled down and many of them lived in tents. About that time several serious rows took place, and the importance of this whole subject was brought to my attention in May, 1886. A shooting affair then took place. After gambling all night one man chased another all day though the woods trying to shoot him. Of course I had power to act, and I telegraphed to Ottawa to employ two policemen and two men were sent me within the next few days. Then at the Minister's request I was sworn in as a Justice of the Peace so that I might have some authority as a Magistrate, and have so acted since.

38593. Were those disorderly people brought before you and fined?—I gave them the full benefit of the law; at that time there was no appeal business in force. They had to pay the fine or go to jail.

38594. Was there a large amount of money collected in fines?—Yes.

38595. Did the illicit traffic to which you have referred continue?—Yes, new people went into the business.

38596. In those days you think that liquor came in from both the east and the west?—Yes, I think it came in from all directions.

38597. What was the state of things after an Inspector arrived here?—The matters were handed over to him. Of course I had a great many other duties to carry out.

38598. As an official I suppose he has attended to those matters ever since?—Yes.

38599. Since 1st May you have had a license law in force in the North-west Territories?—Yes, the Ordinance came into force about that time.

38600. Taking the state of affairs under the prohibitory enactment, so-called, and the state of affairs under the license law, which do you consider to be preferable?—At the time the permit system was in vogue I was thoroughly disgusted with it, and I was very much inclined to think that a good license law would be infinitely preferable; but I must say that since the license law came into force I think the state of affairs has been worse. It is a good law, although it is not applicable to our park, which is controlled by special provisions, but I must say that the license law is not attempted to be carried out.

38601. Nobody is here to do it, I suppose?—We have no Inspector of licenses here; when matters are brought to the attention of the Inspector action is taken. He lives at Calgary, which is nearly 100 miles from here.

38602. So unless there is a resident Inspector here the people do what they please most of the time?—That is pretty much the way at present.

38603. Taking a license law with its different provisions carried out, do you think it would be preferable to the old system?—I do not think a license law is good for the park. In this respect I think the park is different from any other part of the Territories. Here of course the great object was to make provision for travellers and tourists in our hotels, to afford them proper accommodation and at the same time do away with liquor. In the North-west license law the conditions are just reversed. There is no provision needed for travellers although there are ample provisions for selling liquor, I repeat that this Park is different from any other part of the country.

38604. What law is in force with regard to this Park?—I think the plan is that contained in our Park Regulations. Clause 19 refers to liquor as follows:—

“No bar-room or saloon shall be permitted within the Park.

“The following restrictions on the sale of intoxicating liquors in the Park shall be imposed and enforced, in addition to the restrictions imposed by the North-west Territories Act:—

“The sale of intoxicating liquors, even under the special permission granted under section 92 of the said Act, is strictly prohibited, except in hotels, and there it shall only be allowed to hotel guests for table use. Nor shall any person, after obtaining such special permission, sell, exchange, trade or

barter, or have in his possession, within the Park, even for hotel use under this regulation, any intoxicating liquor, until his special permission issued under section 92 of the said North-west Territories Act has been countersigned by the Minister of the Interior or his deputy, for which countersigning a fee of \$50 shall be charged in each case; but no permit for a hotel shall be so countersigned unless such hotel shall have at least twenty bedrooms of a size and to be furnished in a manner satisfactory to the Superintendent.

"If at any time during the continuance of the permit the Superintendent reports that the accommodation hereinbefore specified is not maintained, or if it is proved to the satisfaction of the Minister of the Interior that the hotel is not being conducted in an orderly and proper manner, the permit may be revoked and cancelled by the Minister of the Interior, and the permittee shall have no claim to have repaid to him any portion of the fee paid for countersigning such permit."

38605. Do you think those are good regulations for the Park?—Yes. Of course there might be improvements in them, but those are the regulations we had.

38606. You think those regulations are better than the license law, I suppose?—Yes, of course they might not be applicable to the Territories as a whole, but I am now speaking of the Rocky Mountain Park.

38607. Have you reason to believe that there was much sale going on in Banff before the license law came into operation?—Yes.

38608. Was there sale in many places going on?—Before that time there were quite a number of places on the quiet.

38609. Are you in a position to say how many there were?—No, my attention was confined to the Park: other persons will no doubt be able to tell you.

*By Rev. Dr. McLeod:*

38610. You spoke about the Park being under a different law. Do we understand that the North-west prohibitory law did not apply to the Park, or was there a different law about the Park?—It applied to the Park; our instructions were to apply the permit system to the Park and to see that our own regulations were carried out. That was in July, 1890. Before that we had nothing but the North-west Ordinance to work with.

*By Judge McDonald:*

38611. Then this is in addition to the North-west Ordinance?—Yes. We have power in the regulations to adopt any North-west Ordinance which the regulations do not cover.

*By Rev. Dr. McLeod:*

38612. Then this is an addition to the North-west Act?—Yes.

38613. When the North-west Act of prohibition or permission was repealed and the license law came into force, were those regulations respecting the Park repealed?—No. My private opinion is that the Ordinance had no reference to the Park at all.

38614. You think the Park was under the control of the Department entirely?—We have a special Act of the Dominion Parliament dealing with the Park, and these are regulations based on the powers granted by that Act of Parliament. I never did understand, and I do not understand now, why the North-west Ordinance was applied to the Park. It is an Ordinance in that event overriding the Dominion Act. No two persons agree in regard to the interpretation of it, and the whole position is now before the Judges.

38615. Then it is still an unsettled question?—Yes.

38616. Take regulation 19: was it carried out in the Park?—We attempted to carry it out, but we were stopped doing so.

38617. That is to say that these Regulations, which we are told were approved by the Governor General on the 30th June, 1890, were attempted to be enforced and were prevented from being enforced by the Department of the Interior?—Yes. We had a number of persons summoned, but the cases were stopped.

38618. Were reasons given?—Never to this day.

38619. You simply had to stop?—Yes.

38620. Were the regulations permitted to be violated?—Our hands were tied and we were unable to do anything more. We received orders nine months afterwards to

GEORGE A. STEWART.

go on with the regulations. We went on and all the cases were appealed and are now before the Judges. So we are tied again.

38621. Were permits issued very freely to persons residing within the limits of the Park ?—Yes, too freely.

38622. Were permits issued to persons who sold ?—Yes, I think persons obtained permits and sold liquor.

38623. Do you mean that they had permits to sell ?—At least they tried to do so. I heard of persons selling liquor under permit.

38624. Do you think that the persons who obtained liquor for medicinal purposes sold it ?—I think so, although, no case was brought before me. I was not acting as Magistrate at that time, but I heard those reports casually.

38625. Do you think that the regulations could be enforced if they were not interfered with ?—Yes.

38626. Would their enforcement be beneficial to the Park ?—Yes.

38627. During the time you have been here have you had many men employed in connection with the Park ?—During the first year we had from 75 to 100 men and have gradually decreased, until last year there were only 10 or 12.

38628. During that year when a larger number were being employed, were they affected by the liquor brought in ?—During the early part they were not : after the four per cent arrangement there was quite a lot of drunkenness according to the number of men employed.

38629. A good deal of illicit sale went on before the adoption of the license law, I suppose ?—Yes.

38630. You have observed what has been going on for some years ; do you believe that there is more or less liquor sold now than then ?—I think there is more.

38631. Do you form that opinion from the effects of drinking seen, or do you think there is really more liquor sold ?—Yes, I think there is more liquor sold.

38632. Were you here during the railway construction time ?—No, I was in Winnipeg.

38633. Did you notice, during the construction period, whether prohibition had a good effect or not ?—I do not know from my own knowledge as I was not along the line, but I heard it stated that during that time there was less drinking and drunkenness and that was the reason why the country was almost free from crime. I heard that from persons who were connected with the railway.

38634. Do you believe that the indiscriminate issue of permits caused the prohibition system to be less beneficial than it otherwise would have been ?—I think that is one great reason why the law could not be carried out—it was not properly administered and so crime prevailed. I do not think it is a fair criterion by which to judge of the way we were situated here under the permit system. I do not think any isolated place can be taken as an example.

38635. Have you any opinion as to the desirability of having prohibition for the country at large ; do you consider such a law is desirable ?—I am not a prohibition man personally ; I never took a drop of liquor in my life, but I do not believe in hindering a person making proper use of it if he chooses. It is very well in theory, but I do not believe a prohibitory law can be carried out.

38636. Do you believe the license law can be carried out ?—Yes, certainly if the proper means are taken to do so.

38637. Have you noticed whether the law is carried out ?—I do not know that the license law has ever been carried out.

38638. Do you believe that persons holding licenses should be allowed to sell during the present prohibited hours and whenever they like ?—I think they do that now.

38639. So that is a case in which a license law does not regulate ?—The law prohibits that, but there are means found to break it.

38640. Was not the prohibitory law intended to prohibit the sale, and were not means found to break it ?—Yes. Under the old prohibitory law if liquor was found in a man's possession you could punish him ; now of course you cannot do it.

38641. You have lived in Ontario, I understand, and you now live in the Territories and are Superintendent of the Rocky Mountain Park here. During the years you have



been here have you observed what effect the liquor traffic has had on the business interests and social conditions, and on the moral interests of the community, whether it has been good or bad?—It has had a bad influence.

*By Judge McDonald :*

38642. I understood you to say that you did not know to what extent liquor was smuggled?—No, I only knew about the cases that were brought before me. I have known of liquor being sent in my name here, which I knew nothing about.

DAVID WHITE, of Banff, section foreman on the Canadian Pacific Railway, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

38643. How long have you been in Banff?—Three years.

38644. Where did you live before that?—The year before that, I was in British Columbia.

38645. At what place?—At Otter Tail, the first station west of Field.

38646. Do you know anything about the smuggling that went on from British Columbia to here?—Yes, I saw a little of it.

38647. What did you see?—I saw it carried on in one way and the other.

38648. What methods were employed?—Railway trains were employed and it was taken in packages and in other ways.

38649. What other ways?—On the cars. In the sleeping cars, on the smoking cars and the general passenger trains and on the freight trains as ordinary freight.

38650. How would it be put off the cars?—They threw it off the cars at Banff and west of Banff, and they took it down the river on rafts when possible.

38651. Then I suppose they had people generally ready to receive it?—Yes, they were generally waiting for it.

38652. How was it consigned?—Generally to other parties and sometimes to themselves.

38653. You say that sometimes the packages were addressed to other parties and sometimes to themselves. I suppose those parties would have no knowledge of the fact?—Some parties would not. I knew a case at Banff where a section man like myself found a package addressed to him, of which he had no knowledge whatever.

38654. I suppose that package would never have reached him?—No. There was always a party waiting for it who knew it was coming.

38655. That was the shipping point in the west for liquor?—Yes. I understood it was Donald and Golden and also Field, but Donald was the chief point.

38656. What kind of liquor was sent?—Alcoholic liquor, so far as I understand. I do not know the taste of liquor.

38657. Are you a total abstainer?—Yes.

38658. Are you in favour of prohibition, on principle?—Yes.

38659. Do you look upon the licensing of the traffic as wrong in principle?—Yes.

38660. Do you think it is a sin to license the traffic?—Yes.

*By Rev. Dr. McLeod :*

38661. You spoke about smuggling being carried on through the railway : Do you think that the company were in collusion with the smugglers?—I think in a great many cases the railway employees, are, or at all events they were tipped for preventing the smugglers being caught. In other cases, of course, they have no control over the smuggling.

38662. Have you charge of a number of men on your section?—Yes. Seven miles is the length of my section.

GEORGE A. STEWART.



38663. Have you noticed the effect of the liquor trade and habit in making men good or bad employees?—Yes, I have noticed the effect. I have also noticed its influence on labouring men during 10 or 12 years' experience in the United States, and I have always noticed that drinking habits cause trouble one way or another with labouring men.

38664. Before the license law came into force did you find that the men could easily obtain liquor if they wanted it?—I understood they could.

38665. What are the rules of the Canadian Pacific Railway in regard to drinking men?—The company prohibit it generally—drinking I mean.

38666. In case of section men, what are the rules of the company?—To abstain.

38667. If a man was found to be a drinking man, what would be the result?—Discharge at once.

38668. What does the Canadian Pacific Railway mean by drinking men?—Any habitual drinker of liquor, they have no use for him and discharge him.

38669. Suppose you used liquor regularly every day and took what is called an "eye-opener" in the morning and a "pick-me-up" and a little later on at meal time took some more, would the Canadian Pacific Railway object to such a man?—In some cases the men do it secretly and the company knows nothing about it.

38670. If the company knew about it, such a man would have to go, I suppose?—Yes, under the present management of the road.

38671. Who is superintendent?—Wm. Whyte, of the western division, and Mr. C. W. Spencer, of the eastern division.

38672. Have you observed generally the effect on the labouring men of the drink habit and traffic: is it a detriment to them?—Yes, it is detrimental to them, it weakens their ability to do their work.

38673. Are you connected with any labour organization?—Yes.

38674. What is the blue-book you have in your hand now?—It is a report of a man who gave his evidence in New Brunswick before the Labour Commission.

38675. Is there any part from which you want to quote?—I wanted to quote from page 217.

38676. From whose testimony?—From the evidence of S. S. Patterson, accountant of the Dominion Savings Bank.

Q. Can you give us any idea what is the proportion of the people who deposit their surplus earnings in the savings bank? A. The people who come regularly to the savings bank are those that we call working people—mechanics, or farmers and their families, and also some mariners. I think three-fourths of our customers are among that class of people, for we do not encourage depositors from any other class.

Q. Do they deposit frequently? Yes; we have a great many depositors who come regularly once a week. We look for them, at all events, once a month, and if we find they are not depositing we know there is something going wrong with them—some sickness or trouble of that kind.

By the CHAIRMAN:

Q. What is the lowest deposit you take? A. One dollar.

By Mr. CLARKE:

Q. What is the limit of deposit? A. Do you mean for a year?

Q. Yes? A. Three hundred dollars.

Q. Have many mechanics reached that limit? A. Yes; a great many. The total limit is \$1,000, and a great many mechanics and labouring people have reached it.

Q. In what time did they reach the \$1,000 limit? A. There are a great many who reached it before the new regulations of \$300 deposit in one year came in force, and who since have put in money for their children. A great many people have adopted that plan. They have put in the full limit for themselves and now they are at work filling up an account for their children, and in this way laying by money. In that way they evade the law.

Q. Do many of that class of depositors frequently withdraw their deposits? A. Yes; in the spring of the year. We will, during this month and the next, perhaps, pay out quite a large amount of money to some of those people, who will want to buy a house for themselves, for just now building lots and houses are cheap, and some of those people will want to buy a piece of land. I know we are paying out a great deal of money for that purpose—for buying lots in this city.

By the CHAIRMAN:

Q. Do they buy vacant lots? A. Building lots

By Mr. FREED:

Q. Are these sums paid out to mechanics or labouring people? A. To the customers I spoke of.

By Mr. CARSON :

Q. As a rule, do you ask those people what their occupation is? A. We have to ask them that when they first deposit, so as to get their names on the book.

By Mr. McLEAN :

Q. How long does it take a mechanic to save \$1,000? A. That depends upon business; some mechanics can save a great deal more money than others. If a man is steady at work and his family are earning, provided they are total abstainers, they can save \$1,000 in St. John in three years.

Q. How many of a family would he have? A. Himself with a boy and a girl earning.

Q. How long would it take an individual mechanic by himself to earn \$1,000? A. I know mechanics who live better than I do, whose houses are better furnished than mine, and who have all the comforts and conveniences that a great many professional men have not. They have money in the savings bank; they have but little or nothing in their houses, but they put all their money in the savings bank. This they do so as to be able to get it when they want it, and, until that time comes, the money remains there. This they would sooner do than invest in real estate.

By Mr. CLARKE :

Q. You think that that man would prefer to invest his money in that way instead of in real estate? A. I think so.

Q. Do they think that when they are moving around they can take their bank book with them easier than a house? A. Yes.

By the CHAIRMAN :

Q. What is the average expense of a mechanic who is not a total abstainer? A. The ordinary man, who if a moderate drinker—I mean a man who drinks a little but does not get drunk—will find it costs him \$1 a week for his liquor; that is \$52 a year. He will admit that, but the unfortunate part of the case is that if the husband is fond of liquor his wife gets fond of it too, and the chances are that the children will soon follow them; if a man drink socially and respectably he is liable to drink too much and his children are likely to drink too, and in a very little while there is trouble in the family. I am intimately acquainted with some of those people and I often go to see them.

*By Judge McDonald :*

38677. How much further in his testimony do you want to quote?—I want to read the following :—

By Mr. CLARKE :

Q. Do those people who deposit in the savings bank have any difficulty in getting other investments for their money if they choose? A. They are not the kind of people that like to make investments, for they have not got confidence in them. I direct their attention sometimes to corporation and provincial bonds, and tell them that they had better make arrangements to get some of them; but not many of them take my advice.

By the CHAIRMAN :

Q. What interest do you pay? A. Four per cent.

By Mr. CLARKE :

Q. How long is it since the new arrangements were introduced? A. July, 1887.

Q. How do these people who have deposits in the savings bank look upon their investment; do they think it secure? A. They do; they have thorough confidence in it.

Q. Do you have deposits in the savings bank from people who reside in other countries? A. Yes; we have deposits from the United States.

Q. Would that be people who have lived here and have gone away? A. Yes; and they keep sending their money to us all the time.

By Mr. CARSON :

Q. Are their families here? A. They are single men who have fathers, mothers, brothers and sisters living here, and they keep up their connections.

By the CHAIRMAN :

Q. Do these people hope to come back? A. They intend to come back.

38677a. Did you call the attention of the authorities to the smuggling that was going on?—No, not very often; I notified them, however.

38678. Did you not consider it your duty to call the attention of the Canadian Pacific Railway authorities to the use made of their cars?—Other people generally knew it.

38679. Did you consider it your duty to call the attention of the company to it?—No, I did not.

38680. Did you ever call attention to it?—In one instance I did.

DAVID WHITE.

38681. What was done then?—They notified the police and told them to be more careful in searching the cars.

38682. All this went on until the one case you have mentioned occurred?—Yes.

38683. Did you notify the police?—Yes, I tried to assist them.

38684. Still you found it impossible to stop the practice?—Yes.

38685. Do I understand you to say that when a man partakes of intoxicating liquor to any extent whatever, even though most moderately, the Canadian Pacific Railway Company would dismiss him?—So far as the rules go that is the instruction—if they are known to do so.

38686. Suppose a man takes a glass of ale at his dinner every day would that be ground for dismissal from the Canadian Pacific Railway?—It would, according to the new Superintendent.

38687. Must the employees on the Canadian Pacific Railway be total abstainers?—Total abstainers get preference in all cases.

38688. From your own knowledge are all the employees on the Canadian Pacific Railway total abstainers?—No, they are not.

38689. Are a proportion of them not abstainers?—Yes, a very large proportion of them are not.

38690. How did you come to bring this blue-book with you?—I had this part of the evidence looked up.

38691. How did you come to bring this Government blue-book with you?—I brought it to draw attention to that evidence.

38692. Do you consider it gives your own views?—Yes.

38693. And you brought it in order that the Commission might have that information?—Yes.

38694. Does that evidence commend itself to you?—I approve of it.

38695. It gives suppositious cases of a man spending \$1 a week on beverages and another man \$1 on going to the theatre and another that much on horses and another \$1 a week at the shooting—are not those men spending their money on what they please, and is it not their right to spend their own money on what they please?—But there is only one thing that demoralizes, that is the drink.

38696. You think \$1 a week spent in that way demoralizes?—Yes.

38697. Do you not know hundreds of men who use the beverage in moderation?—It may lead to immoderate habits.

38698. Do you not know hundreds of law-abiding citizens who use them in moderation?—Yes.

38699. If those people choose to spend \$1 a week on those beverages and you deem them good citizens, where is the demoralization in that case? Or do you think that, as a matter of principle, it is wrong for a man to take intoxicating beverages at all?—I think it is wrong.

38700. Then it is wrong not only to license to sell, but it is wrong for a man to take intoxicating beverages?—Yes.

38701. It is on that view you found your opinion?—Yes.

*By Rev. Dr. McLeod :*

38702. Do you think, from your observation, that drinking in moderation tends to excessive drinking?—Yes.

38703. Do you know another business of the same character as the liquor business?—No.

38704. Do you know any other business that has to be restricted and limited as is the liquor business?—No.

38705. Do you know any other business that has the same injurious effects on family life, public morals and the business interests of a community as has the liquor business?—No.

38706. Do you think the liquor trade might be fairly well prohibited if there were competent and honest officials?—Yes, that would go a long way towards removing the traffic. Of course such a law would be broken like other laws, but I believe it would be a good law if it was carried out fairly well.

*By Judge McDonald :*

38707. Is any man questioned, when he enters the employment of the Canadian Pacific Railway, as to whether or not he is a total abstainer?—Not very often.

38708. Then it is not a test of employment to be a total abstainer?—Not until they get higher up.

38709. What do you mean by higher up?—I mean as they get up.

38710. You mean that if a man becomes General Manager he must be a total abstainer?—They will be when the company lays down laws to that effect.

38711. When they get higher positions the company is more strict, I suppose?—Yes, there is more responsibility on them.

*By Rev. Dr. McLeod :*

38712. Have you to sign an agreement when you enter the employment of the company?—No.

38713. Do you know whether some have to do so?—I could not say.

THOMAS CONNORS, of Banff, wholesale liquor merchant, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

38714. How long have you resided in Banff?—Six years.

38715. How long have you resided in the Territories?—The same time.

38716. Did you come here from one of the other provinces?—From Ontario.

38717. What part?—Cobourg.

38718. You saw the working of the prohibitory system here before 1st May last when the license system came into force, and you have seen the working of the license system since, I suppose?—Yes.

38719. Which do you consider preferable?—The license law.

38720. Was there much smuggling of liquor before 1st May last?—That was the only way in which it could be brought into the country.

38721. Was there much liquor brought in?—Yes, quite a lot.

38722. From which direction?—From both east and west.

38723. Were there many places where illicit trade was carried on here?—There were eighteen at one time, to my knowledge.

38724. Do you mean places where liquor was sold by the glass?—Yes.

38725. What was the character of the liquor sold?—All kinds, brandy, gin and rum.

38726. Some was good and some bad, I suppose?—Yes.

38727. How many places are there here now selling liquor?—There are four, three retail and one wholesale.

38728. We understand there is another place here, the Canadian Pacific Railway hotel?—Yes.

38729. So of licenses, there are four retail and one wholesale?—Yes. That is in the summer.

38730. So far as you can speak is the license law well carried out?—Yes, I think it is carried out as well as a liquor law can be carried out.

38731. We are told that the Inspector of Licenses lives quite a distance away?—Yes, he lives at Calgary. He comes here occasionally.

38732. When he does come, does he appear to be desirous of doing his duty?—Certainly; if any complaints are made it is of course his duty to look after them.

38733. Did you find that under the old law the North-west Mounted Police tried to do their duty?—Yes.

38734. From your experience do you think a prohibitory law could be carried out in the Territories?—No.

DAVID WHITE.



38735. Do you think such a law would be impracticable?—I think so. I do not know of any additional means that could be adopted to prevent liquor coming into the country.

38736. Do you know in what shape liquor was brought in in the old days, was it in kegs, casks, &c.?—In barrels, and it was also shipped in as four per cent beer and also as ginger ale and soda water and it was placed in the middle of packages of merchandise and in crates of cabbages.

38737. Do you know anything about the use of other compounds than liquor for beverage purposes, I mean pain-killer and compounds of that kind?—I have seen it used.

38738. What have you seen used?—Pain-killer, red ink, Campbell's Cathartic Compound, Jamaica ginger and other such mixtures.

38739. Are there any suggestions you can offer to the Commission in regard to the liquor law with a view to making it more workable?—I think it is a very good law as it is now.

*By Rev. Dr. McLeod:*

38740. You were here, I suppose, before the license law went into operation?—Yes.

38741. What business did you follow?—I kept hotel.

38742. Were you a liquor seller then?—Yes, I sold liquor.

38743. Did you sell it openly?—I do not consider I did.

38744. Were you ever convicted?—Yes.

38745. Did you have anything to do with the smuggling that went on?—I had to smuggle some in order to get liquor in here.

38746. You think license is preferable to prohibition?—Yes.

38747. You say there were eighteen places selling illicitly here before the license law came into operation?—Yes, at one time.

38748. Was it open sale?—I do not know that everybody could get it, but everybody well known could always get it.

38749. Have you a retail license now?—No.

38750. What is the smallest quantity you are allowed to sell?—One bottle.

38751. Do you ever sell less?—No, not particularly, I give lots away for I am not prevented from giving a man drink.

38752. I think you said that the license law is properly carried out?—I do not see how it could be carried any better.

38753. Other witnesses have declared that it is not carried out?—Perhaps they do not know about it.

38754. What hours have you to close?—Hotels at 10 o'clock and Saturday nights at 7 and the wholesale places are allowed to keep open until 10.30.

38755. Do all the places close up on Sunday?—Yes, so far as I know.

38756. Do you believe sale takes place after prohibited hours and on Sundays?—I dare say if a stranger wished to have liquor he could get it.

38757. But do you believe that there are no sales during prohibited hours?—There may be some after 10 o'clock at night.

38758. But you think the license law is well carried out—as well as it can be?—Yes.

38759. By that do you mean that no law can be well carried out?—I think we overstep the mark once or twice.

38760. Why is that?—I could not say. If a man came to me on Sunday and said that he was sick and wanted a bottle of brandy, I would give it to him.

38761. And what would you do if he was not sick?—I would not give it to him.

38762. Would it be because such an act would be against the law?—I would rather not carry on business on Sunday at all events.

38763. I men at other times during prohibited hours, would you refuse to sell because it was against the law?—I would be afraid.

38764. Why?—Because I could be fined.

38765. Do you think the licensees generally are prevented from selling during prohibited hours because they are afraid of being fined? Yes, and because the license authorities might hear of it next year if complaints were made.

38766. So it is not out of regard for the law, but for fear of being punished that prevents sale during prohibited hours?—It is both, I think.

38767. You think prohibition is impracticable: why?—Because the people would get liquor into the country by some means. If there was such a law in force there would be no difficulty in getting liquor from Manitoba and from the east or west, as was done before.

38768. You mean that the people would bring it in in violation of the law?—Yes. 100 gallons came from Montana to 1 gallon from British Columbia, Manitoba or Ontario.

38769. It was all smuggled, of course?—Yes.

38770. You think it would be impracticable to carry out prohibition because there would be illicit importation and sale?—Yes.

38771. Do you think the enforcement of the license law is impracticable, because men will sell during prohibited hours and on Sunday, and to drunken men and to minors?—There is not so much danger when a house is under license.

38772. Is that because there are only a few of them here?—There is not so much drinking on Sunday now as there was before.

38773. Was it very difficult to get liquor before the license law came into force?—Sometimes it was pretty hard to get in.

38774. Why?—You would have to dodge the police, and sometimes it was easier to do so than at other times.

38775. Were the police sometimes more vigilant than at other times?—No, but they were not always at the same place.

38776. You had to watch the police and see where they were?—Yes.

38777. I suppose you would have to find out new fords and caches?—Yes.

38778. Will you tell me why the man used Campbell's Cathartic, for that is said to be a purgative?—So they say.

38779. Then why did he use it?—I never used any of those things myself.

38780. Why did he use that cathartic?—There was supposed to be liquor in it.

38781. And you say they used red ink?—Yes.

38782. And different compounds containing liquor?—Yes.

38783. Anything in a bottle?—Yes.

38784. Can you tell me why the men used those things?—It must have been because there was some strength in them.

38785. That was when there was no drink obtainable, I suppose?—I have seen the time when there was no whisky in the town.

38786. If it is possible to prohibit it at one time is it not possible to do so at other times?—The police might be all around the place at one time, and it would be impossible to bring it in.

38787. Did you ever know a man who had not formerly been in the habit of using alcoholic liquors and who had not acquired a taste for it, who would use red ink or the contents of hand grenades, pain-killer and compounds of that kind?—It seemed to take the place of whisky for the time.

38788. Was it because the men were in the habit of drinking whisky and desired a stimulant and resorted to such things?—I suppose so.

38789. Did you ever see any boy drinking them?—I never saw any boy drinking in this country, that is boys between 12 and 14 years.

38790. What about boys of 18?—I dare say I have seen boys of that age drinking liquor.

38791. Is it a fact that those liquors of which you have spoken were drank?—Yes. And there was another called Excelsior. I have seen lots of that drunk.

38792. Are we to understand that men used those compounds simply because they had the habit of drinking alcoholic liquids and they must have something and when they could not get whisky they would get those liquids?—I take it in that way.

38793. You spoke about the four per cent beer arrangement. Did you sell beer at any time?—Yes, we had a regular license.

38794. Did you sell anything else when you sold four per cent beer?—Yes.

THOMAS CONNORS.

38795. Whisky and brandy?—Yes, everything.  
 38796. That was illicit sale, of course?—Yes.  
 38797. You think prohibition cannot be enforced?—I think not.  
 38798. Did you ever see permits issued for bringing in spirituous liquors?—Yes.  
 38799. Did you have a permit for spirituous liquor?—Yes.  
 38800. Did you have permits often?—I suppose I have had half a dozen or a dozen altogether.  
 38801. For what quantity each?—From 2 to 10 gallons.  
 38802. Did the Governor know that you were going to sell the liquor?—I never told him.  
 38803. Did you apply for liquor for medicinal and domestic purposes?—Yes.  
 38804. Then you afterwards sold the liquor?—Of course I could not get liquor in without a permit, unless it was smuggled.  
 38805. For what purpose did you get the permit?—It served to cover the liquor.  
 38806. Did it cover up smuggled liquor?—It would cover a similar quantity of liquor.  
 38807. You kept the stubb and it served to keep you safe?—Yes.  
 38808. It prevented detection?—Yes. If they searched they would find the liquor covered by permit.  
 38809. Is your objection to prohibition based on the ground that it is impracticable, or is it on principle?—I would as soon have prohibition as license.  
 38810. Why?—It does not make any difference to me.  
 38811. Do you mean that you could carry on the trade illicitly or legally?—They drank more formerly than they do now. The higher the price the more the people want to get it.  
 38812. Do you sell less under license than you did before?—I am sure of it. What I mean is that there is less liquor drunk in Banff under license than there was before; of course I sell wholesale, and I would naturally sell a little more.  
 38813. Do you think prohibition interferes with men's liberties?—I do. I do not think a man who wishes to drink moderately should be deprived of it because another man does not wish to obtain it.  
 38814. What is a moderate drinker?—One who takes 2 or 3 drinks a day or a bottle of beer a day.  
 38815. Or how many more?—10 or 12 would be too many a day.  
 38816. Of beer?—Four or five drinks throughout the day would not hurt any one.  
 38817. Is it a wise expenditure do you think?—If a man desires to enjoy himself and chooses to take a drink, he should have the privilege of doing so. Of course he could spend the money in other ways.  
 38818. Then prohibition you think would interfere with the manner in which a man would spend his money?—Yes, that is the way I look at it.  
 38819. So you can be put on record as opposed to prohibition on principle: is that your position?—Yes.

*By Judge McDonald:*

38820. How do men in the traffic come to overstep the mark in regard to selling during prohibited hours: is it owing to their desire to sell, or to the desire of people to obtain drink?—It is owing to the desire of people to get drink.  
 38821. Do I understand that you object to sell on Sunday because you object to carrying on business on Sunday?—Yes, I object to carrying on business on Sunday.  
 38822. In regard to selling after prohibited hours on week days, you do not sell because the law forbids it?—Yes.  
 38823. Apart from the law, would you think it any harm to sell in those hours?—If a man came in after hours it would not be out of the way to give him a drink so long as he was sober, but I think it would be out of the way to give him anything if he was the worse of liquor.  
 38824. At any time I suppose?—Yes, a man the worse for liquor is of no benefit to us.

38825. Do I understand that the permits were not of much good?—They were a handy thing to have in case there was search made.

38826. So far as getting liquor into the country you think they were not needed?—You could get liquor in without them.

38827. But, having the liquor, you wanted them to protect the liquor from the officers?—Yes, you had to have them. The police were liable at any moment to come in and search your house and take the liquor if you had no permit to cover it.

*By Rev. Dr. McLeod:*

38828. Did you sell on Sunday before the license law came into force?—Yes, I dare say I did

JAMES BRETT, of Banff, on being duly sworn, deposed as follows:—

*By Judge McDonald:*

38829. Where did you live before you came to Banff?—I lived formerly at Winnipeg; and originally I came from Walford.

38830. You were visiting here?—Yes, during three years; I was here for a period of 2 years and 10 months, previously.

38831. When was that?—I think I came in 1885-86.

38832. And you remained 2 years and 10 months?—Yes.

38833. Do you know anything in regard to liquor being brought in during that time?—Yes, I heard a good deal about it.

38834. How was it brought in, in what kind of packages?—I have seen it bought in in 2½ gallon kegs.

38835. Are you a total abstainer?—Yes.

38836. Are you favourable to prohibition as a principle?—I am, if it is properly carried out.

38837. Are you opposed to the licensing of the traffic?—Yes, because I think it is a very injurious system in any country.

38838. Do you think it is wrong to license the trade?—Yes, I think it is wrong to license a man to work such evil as the liquor traffic works.

38839. Do you consider it to be a sin to license the traffic?—Yes, because it is a sin to use the liquor. So we are told in the word of God and, therefore, it is a sin to license those to sell it.

38840. You think it is a sin to drink liquor?—Yes, because there is a woe pronounced against those who put the bottle to their neighbour's lips.

38841. Have you observed, since you came here the last time, how the license system has worked?—Not particularly, although I think it is different to what the license system was in Ontario.

38842. Is it better than that, or not so good?—I understand that the census shows that the population of this place is 100 and you have had evidence that there are five places here for selling liquor. Down in Ontario there would have to be as many hundreds before you could have more than one or two licenses. So I consider the system here is worse than it was there.

38843. Did you notice how the old permit system worked?—Yes. I think it was a very injurious system because it was not fairly carried out. If a man applied for a permit, no matter how large a quantity, he would get it; they were not at all particular.

38844. So there was not much prohibition about that system?—It was not prohibition at all.

*By Rev. Dr. McLeod:*

38845. So under the provisions of the old system you think that people could get all the liquor they wanted?—Probably not all they wanted. If they had they would

THOMAS CONNORS.



not have used so many decoctions purchased at drug stores. I have known druggists to mix alcohol in water and give it enough flavouring to satisfy people who wanted whisky.

38846. What compounds do you know the people used other than we have heard mentioned to-day?—They used pain-killer and everything that contained alcohol.

*By Judge McDonald:*

38847. How old are you?—I am 73.

38848. You have been an abstainer how many years?—36 years. I recollect I took a glass of liquor when I was sick, one prescribed by my son, Dr. Brett.

38849. Then you never took it unless it was prescribed by a doctor?—I have never taken it except in such case.

JOHN JAMES FERGUSON, of Banff, hardware merchant, on being duly sworn, deposed as follows:—

*By Judge McDonald:*

38850. How long have you resided in Banff?—Five years.

38851. Before that where did you reside?—In Ontario. I lived in Toronto a few months, but my home was in Fergus, in the County of Wellington. I lived in Toronto some months before coming here.

38852. Do you know anything about the smuggling of liquor that took place there?—I have heard a good deal about it.

38853. Have you any personal knowledge of it?—I cannot say I have any knowledge personally.

38854. Did you see intoxicating beverages yourself?—No.

38855. Are you a total abstainer?—Yes.

38856. Are you favourable to prohibition as a principle?—Yes.

38857. Are you opposed to the licensing of the sale of liquors on principle?—Yes, I think it is wrong on principle to license.

38858. Do you think it is a sin?—I think it is wrong.

38859. What do you think in regard to purchasing liquor as a beverage; do you think that is wrong?—It might not be a sin in some cases, but I think it is a mistake in other cases.

38860. You would let a man's individual conscience dictate as to whether it was wrong or not?—Yes.

38861. In your case, you think it is wrong to take liquor as a beverage?—Yes.

38862. Since 1st May last, we understand that there has been a license law in operation. Do you know how many places sold liquor before that time in Banff?—Perhaps three or four in addition to the houses now licensed.

*By Rev. Dr. McLeod:*

38863. Were the men now holding licenses engaged in the illicit trade before the license law was passed?—Yes, I think so.

38864. Have you noticed, as a merchant, the effect of the liquor trade on business generally, whether it is good or bad?—It is bad, because a man spends his money on liquor when he should pay his debts, and he is not able to meet his payments.

38865. Comparing the state of things under license and previously, can you say under which there was the more drunkenness?—My own experience is that I saw more drunkenness before, at all events I came across it more. Drinking was more popular.

38866. Do you think then there was an attempt made to break up the old law by showing how much it was violated?—I do not know whether there was any organized attempt—I do not think so.

38867. Since the license law came in, has there been I mean any movement by temperance societies to diminish the number of drinking men?—Yes, a temperance organization was formed before the license law was passed. It has been very successful in obtaining members, especially with men who were in the habit of drinking.

38868. What is your opinion of prohibition in general as applied to the country at large?—I think it right and desirable.

38869. Do you think it is practicable?—Yes, if over the whole country.

38870. In the event of a general prohibitory law being passed, would you deem it right that brewers and distillers should be compensated for their loss of plant and machinery?—No.

38871. Nor to licensed dealers either, I suppose?—I think not.

*By Judge McDonald :*

38872. You have spoken of one of the advantages of prohibition being that men were not able to obtain a supply of liquor legally?—Yes.

38873. Have you ever thought of the question of a man's personal liberty, as to whether he has not a right to choose whether he will spend his money for beverage purposes or anything of that kind, or whether he will spend it for recreation or relaxation purposes, or whether he will put it into improvements in buildings?—Yes.

38874. You say you have considered that question. Do you think it is for you or for him to decide as to the purpose to which he will devote his money?—The result of prohibition would be improvements in the right direction.

38875. How do you know that men would spend their money for improvements and not on drink for beverage purposes?—I have the hope that they would do so.

38876. You have spoken of the success of temperance organizations. Have you found of late years that the temperance societies in the churches have been doing good work on behalf of temperance?—Yes.

38877. Has not a change taken place in the social habits of the people?—There has been a change.

38878. Do you not think that the religious bodies and temperance bodies, etc., working on those lines have brought about, or have helped to bring about, those changes?—Yes, they have been working in that direction.

38879. With a certain measure of success, I suppose?—Yes.

38880. We have learned that in the Territories here, comparatively recently, the Legislative body has passed a license law?—Yes.

38881. I suppose it would not be out of place to suppose that the members of that body would know pretty well the public sentiment in the Territories?—Yes, I think the law is a fair indication of public sentiment.

38882. Have you considered at all what total prohibition means, total prohibition so far as manufacture, importation and sale of alcoholic liquors for beverage purposes, in other words, that no person shall manufacture alcoholic liquors, even for his own use, or bring it in from any other country, or to keep it in his cellar. Is that the kind of prohibition you favour?—Yes.

38883. So that if a man on his own premises and for his own use and out of his own material made alcoholic liquors, you think he should be punished?—Yes, that would be right, that would be my idea.

38884. Do you know of any country where such a law is in force?—I cannot say that I do.

38885. Did you ever hear of any?—I never made a sufficient study of the question.

38886. We have been told during these inquiries that there is one such country—the Fiji Islands. Do you know if that is the case?—I do not know anything about it.

ROBERT GEORGE BRETT, M. D., of Banff, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

38887. You are a physician, I believe?—Yes.

38888. You are a member of the Legislative Assembly of the North-west Territories also?—Yes.

38889. For what district?—For Banff.

38890. How long have you resided in the Territories?—I have resided without interruption since the spring of 1884.

38891. Permanently, how long?—Since 1886. I began my practice here in 1886. I spent the winter in Winnipeg, attending the session of the Medical College.

38892. Then you have been in these Territories both under a prohibitory law and also under a license law?—Yes.

38893. We have been told to-day that smuggling was carried on under the permit system. Do you know anything about that?—Yes, I do. I know there was a good deal of smuggling going on.

38894. From what direction?—I was here before the railway was built, and I was Chief Surgeon during construction here. Of course that was before there was any opportunity of bringing in liquor from the east. There was a good deal brought in from Manitoba and in that direction.

38895. In what kind of packages?—I do not think I could say. I have heard that liquor was brought in in a great many forms. I know it was brought in as ink.

38896. We have been told that smugglers had hiding places?—I think they probably had.

38897. After the railway was constructed how was the liquor brought into the country?—It was brought into the country by the railway as a general rule, it was shipped probably as ink.

38898. Where was it brought from?—From Montana.

38899. We understand that after the railway was built it was brought in concealed in barrels of sugar and rice and so forth?—I believe so.

38900. We have heard to-day that it was brought in in crates of cabbages and tubs of butter?—Yes, I have heard instances of that kind.

38901. When the railway was opened, from what direction did the liquor come?—It came from east and west; it was easier to bring in that way than from the south. A great deal came here by the Columbia River from Spokane Falls and the direction of the Wild Horse Plains. A great deal was brought in from Donald and Golden. Several lots were captured while on the road, and captures were made here when the liquor was being smuggled in from Winnipeg.

38902. Were those places to which you have referred in the Territories?—No, but they were points from which the liquor was brought into the Territories.

38903. Donald and Golden are in the Territories?—Yes.

38904. Had you any opportunity of observing how the North-west Mounted Police did their duty, whether they honestly tried to discharge their duties?—Yes, I think they did. I thought sometimes they exceeded what could fairly be called their duty. I am now speaking of the operations of the force in the Territories. I had occasion to travel up and down a good deal during the construction of the railway in 1884-85 and since then, during the time I have practised, I have seen the police faithfully discharging their duties. I remember, however, two cases in which I thought they violated the bounds of decency.

38905. In what way?—I have seen an officer, without showing any respect to the people on the cars, go and take liquor out of the satchels and dispose of it.

38906. Do you mean satchels belonging to passengers going through?—Yes. I remember one occasion very well. I was sitting in a Pullman, and a policeman came in and began throwing the baggage about. He came across a satchel that belonged to a through passenger and he took out a bottle of liquor and destroyed it. I remember that case particularly. I thought it was an outrage on the passenger. I made inquiries

and found that this gentleman was a through passenger and I thought it was an interference that was scarcely warrantable.

38907. Do you remember whether that was in the early days?—It was in 1886 I think.

38908. We have been told to-day by a witness that liquor was brought in at one time on Pullman cars and that there was right of search at that time by the police force. Are you able to say whether it was owing to such cases as that occurring that led to the right of search being done away with?—That was it exactly. This case was reported, that I have mentioned, and I remember a good deal of trouble was made about it, for he was a person who would not allow that indignity to pass unnoticed and he took care to report it. That was not an isolated case, for I saw similar ones occur several times. I understood that it was owing to that practice that the order was afterwards given to discontinue search on Pullmans of through passengers.

38909. Taking the two systems as you have known them, the permit and the license systems, which do you think preferable?—I think the license system is preferable to the old system.

38910. I do not ask you as a Member of the Legislature what influenced yourself personally, but taking the Legislature as a body, I desire to ask whether, in passing the license law, that body may have been considered to have represented the feelings of the people of the North-west Territories?—It was the concentrated sentiment of the people that influenced the Legislature in passing that law.

38911. The question has been raised to-day as to whether, owing to the Inspector being so far away as Calgary, the present law cannot be enforced as thoroughly as it might be. This point has been brought forward as a difficulty in working the law, and it has been suggested that more Inspectors should be appointed?—That is a point on which I myself have thought very strongly. It was one of the strongest objections brought against the permit system that less men were taken to enforce the liquor law.

38912. We are told that several amendments to the law were introduced last session but that the Legislature closed the session abruptly, and they were not carried through?—No amendments are necessary to more rigidly enforce the law.

38913. You think the present law is quite sufficient?—Yes. I do not believe the people of the Territories wanted a law for revenue purposes, but they wanted a law that would at the same time regulate the traffic.

38914. A great deal has been said about the permit system, its use and its alleged abuses, and we have been told that the Governor, in issuing permits, was influenced very much by the representations made by prominent people from all sections of the country in favour of parties who applied for permits. Was that the case or not?—I know it was the case. There was scarcely any other way he could do. The Lieutenant-Governor of these Territories probably six or eight years ago, may have had a very good idea of the people here, but within the last three or four years the condition has changed. It became impossible for him to know to whom the permits were issued. He took the precaution of asking for a recommendation by some one. To my mind he adopted a plan that was very wrong in asking that recommendations should be made by members.

38915. You think it was placing the members in a false position?—Yes, I always took that view of it, and it was the same view taken by many others whether rightly or wrongly. The view I took was this: That I am not selected as a public censor over any one's morals or as to whether they should be restricted or not in any way, and if any one in my district asked for a permit, I never refused the application. I represented one man as much as another, and if I was asked to recommend persons for permits on the ground of being a representative, I did not hesitate to make recommendations. I do not think I put myself in the position so that it might be said that I was elected for the purpose of granting permits. I would not be chosen by the Lieutenant-Governor probably, but I am chosen by the people and I represent one as well as the other.

38916. Might it be said that the extension of the permit system was really in accordance with the wishes of the people?—Yes.

38917. It was in response to the desires of the people?—Yes.

ROBERT GEORGE BRETT.



38918. From your experiences do you think the prohibitory law is practicable of enforcement in the Territories?—I do not believe in local prohibitory laws, I do not think they are practicable.

38919. Take what is meant by total prohibition or national prohibition, a law prohibiting the manufacture, importation and sale of intoxicating liquors for beverage purposes, such a law as would prevent you or any one else manufacturing in his own house and for his own use alcoholic beverages and would punish him for so doing. Do you believe such a measure would be practicable of enforcement in Canada?—I think it would be more so than a local law. I would favour a trial of it.

38920. You would favour a trial of such a measure as that?—Yes, while I would not favour a local or provincial prohibitory law.

38921. Would you favour such a law accompanied with the right of personal search and domiciliary visits?—I would not like to undertake to prosecute.

38922. How would you carry out such a law?—I think there are a great many things of a very complicated nature that would require to be studied carefully in endeavouring to enforce such a law.

38923. Do you think the people of a country such as Canada would pass such a law?—If they were all like myself they would try it.

38924. Is it because you think prohibition is desirable as a principle?—I think it would be better for everybody.

38925. Then you would pass such a law and give it a fair trial and see whether it would succeed or not?—I think there is a very strong temperance feeling in every community, and I believe that if that was taken care of and proper opportunities given, the sentiment would develop and grow. I believe the growth of that sentiment would be a natural condition.

38926. Do you think a prohibitory law would lead to the development of such a sentiment or would lead to a revolution of feeling?—I think, as I have seen it, there would be a revolution of feeling, but we have not seen it under proper circumstances.

38927. Do you know whether such a law is in force in any country?—No. I have heard you say that such a law was in force in the Fiji Islands.

38928. Under the Maine law you are perhaps aware that liquor is not allowed to be kept for sale, but you may have your own cellar full of it and give it away to your friends, as you please, as long as you do not sell it?—I do not think that amounts to anything.

38929. You think there must be a total banishment of liquor?—Total prohibition of the manufacture, if it is going to be successful.

38930. You think it should be prohibited from being kept for private use also?—You would have to permit it for medicinal and art purposes.

38931. How do you propose to enforce such a law, what machinery would you use?—I have not given the subject sufficient thought to practically formulate a scheme, but I think that with the manufacturers fairly dealt with and the manufacture suppressed, a respectable manufacturer would not endeavour to infringe the law. It might then be carried out. Of course, there is always the danger that manufacture would go on in the hands of less scrupulous parties. I am not speaking as a teetotaler, and I do not wish to pass as one, but there are a great many people like myself who think that people would be better without it. I believe there is a lot of people like myself who would like to see such a law passed.

38932. In the Territories we are told that, with a police force of 1,000 men doing duty as well as they could, they were unable to keep liquor from coming in from Montana and other directions. How would you propose to stop that smuggling?—The police were not aided to the extent under the law that they should have been. I could not speak of the sentiment existing in Calgary, but I have visited there and I made it my headquarters when I first came here. There may be people who are very good temperance people but who are not in sympathy with the prohibitory law, because it was not practicable and evils were committed. People coming from other countries and places where they got liquor naturally wanted it. They came here and found that, although liquor was prohibited, there was a large quantity of very foul stuff. It naturally occurred to them that something was wrong, that the law was not as effective as it

should be, and they probably did not see any harm in breaking it. The sentiment was against it.

38933. Then you think the sentiment had much to do with it?—Yes, I do not think you can enforce any law against the wishes of the people.

38934. Do you think there should be a large proportion of public sentiment in favour of prohibition in order that it should be carried out?—I do.

38935. Then in your opinion a mere majority would not be sufficient?—No.

38936. You believe the trend of public opinion must be very strong?—I do not think a bare majority should adopt such a law, which would be revolutionary in its operation.

38937. You think that with such a trend of public opinion as you have indicated and with sufficient executive action on the part of the authorities, such a law would be made a success?—I think so.

38938. You would hope so, I suppose?—I would hope so.

38939. In case of the enactment of a general prohibitory law, a law to prohibit the manufacture, importation and sale of intoxicating liquors for beverage purposes, do you think that brewers and distillers should be remunerated for their loss of plant and machinery?—Undoubtedly.

*By Rev. Dr. McLeod :*

38940. When changes occurred in the tariff were not some businesses affected? Do you think that those engaged in those businesses should be compensated by the Government? You are in a branch of business and changes might occur in the tariff that would cause severe loss to your business and in fact destroy it. Do you consider that you would have any right to compensation?—I do not think that stands in the same position as this does. While a change might occur in my business to-day, which would affect it disastrously and cause severe loss, last year such a change might have caused you great profit, and it would be about even. I do not think that is a parallel case however.

38941. What about the permit system? Were permits issued indiscriminately during the last few years of the system?—I think they were sometimes and sometimes they were not. Probably if the permits issued during a couple of weeks were taken they would appear to be pretty fair. Then again at other times there would be somewhat of restriction. I will endeavour to make clear what I mean. I know as a matter of fact that sometimes the liquor would be sold after it had been obtained by permit, and sometimes the Governor would relax his vigilance and permits would be issued very indiscriminately, and sometimes he would be inclined to refuse every one. Probably Englishmen who were used to have their beer or rum when they wanted it would ask for a permit, and because they all came to the Lieutenant-Governor, his Honour would feel inclined to refuse them all. There was nothing he could do except to issue them permits on the recommendation of the members who, as in my case, did not attach any importance to it.

38942. Did you indicate to the Governor that you did not wish to attach any importance to it?—I told him exactly what I have told the Commission, that I was a representative of the people and I would recommend every applicant for a permit without making any further examination.

38943. The applicant for liquor stated that the liquor was for medicinal or domestic purposes?—It was usually drawn up in one form or the other.

38944. Do you know whether some of the applications were made by parties who were supposed to be selling illicitly?—Yes, I know of some cases where permits were obtained, but the permits were more for protection than for anything else as two gallons was not a very large stock if a party wanted to sell it. They would also get a number of permits and keep them to protect the liquor they would have on hand, and they would replenish it as it was sold, and still the permit would protect them.

38945. Did the judgment in the court to which reference has been made make prohibition impracticable?—In view of that decision the stub of any permit would protect any quantity of liquor so long as it did not exceed the quantity specified on the permit. If the judgment had been different and if it had been held that the permit could

ROBERT GEORGE BRETT.

cover liquor once, I believe it would have placed the police in quite a different position so far as prosecutions were concerned.

38946. Then are we to understand that the representatives of the people did not stoop to made examination or consider whether men who used permits used them rightly, or whether the seller merely wanted them to protect himself?—They were asked if they required liquor for medicinal or domestic purposes. I am now speaking of people who I know did sell. The Governor was perfectly well aware that where there were large hotels liquor must be sold. So far as I am concerned I did not hesitate to recommend any one for permits.

38947. Besides the application for permit did there have to be so much money paid for the certificate?—Yes, fifty cents a gallon was paid on spirits but nothing on beer.

38948. Did that go into the treasury of the Territories or to the revenue of the Government?—It went into the Territorial revenue.

38949. As a matter of fact did it go there?—As a matter of fact every cent went there.

38950. Was the question of prohibition *versus* license an issue at the last election in the Territories?—I cannot say that it was. I cannot recollect a single instance in which that was an issue except at Qu'Appelle. I think it was an issue between Mr. Davidson and the other candidate, and that was the only place in which it was made an issue.

38951. It was not so in this district?—No. I do not think a temperance candidate would have taken a great many votes.

38952. What do you mean by temperance candidate?—One who came forward and pledged himself to the prohibitory liquor law.

38953. Do you mean a prohibitory law or such a one as prevailed under the old permit system?—That would depend on the individual candidates.

38954. Was that old system prohibition or permission?—It was both. It was prohibition with permissive clauses.

38955. Which was the more observed, the prohibitive or the permissive clauses?—Those whose duty it was to enforce prohibition were just as zealous and anxious and energetic in endeavouring to carry out the prohibitive clauses as were those who had to carry out the permissive portions.

38956. Whose duty was it to carry out the prohibitive clauses?—The Mounted Police.

38957. Whose duty was it to carry out the permissive clauses?—The Lieutenant-Governor.

38958. Did he attempt to carry out his part as diligently as the police tried to carry out their duty?—As I have already explained, that work was sometimes interrupted.

38959. There was a spasm of feeling occasionally?—I believe the Governor was generally influenced by the desire to ascertain the current of public sentiment. When that current was interrupted he stopped issuing permits, but the current came again and carried him until he stopped again.

38960. You think the present license system is preferable to the old system?—Yes, I consider it so.

38961. Do you think the difference between the two systems is a difference between prohibition and license or between one kind and another kind of license, in this, that the present license system is now controlled by license commissioners and the other system was simply carried on according to the will of the Lieutenant-Governor, who personally issued licenses; while at present these licenses must be issued by a body of license commissioners. Is that the difference?—If you put in that way I cannot see a great difference. The will of the people is expressed in one case, while the prerogative of one man is manifested in the other.

38962. Do you think in a country like this with the present population it is practicable for any official to administer a prerogative of this kind?—I do not believe it is possible to do so judiciously and well.

38963. Speaking about the smuggling business and the searching on Pullman cars, you have said that after a certain period the officers were not permitted to search the Pullmans. Do you know whether, after that prohibition of the right of search in Pull-



man cars, smugglers used the sleeping berths, because they could not be searched?—I do. I know as a matter of fact they did so.

38964. Explain.—If, for instance, any one who was known to be a whisky smuggler—and they were all known, and you could put your finger on them—was on board you would see that he was going west and he would have his liquor down to-night. Perhaps he went to Anthracite. He would go down by train and have liquor delivered at Calgary or Morley or some other station. He would generally get into the car and go at once to the berth where he had liquor and would go to bed. He would stay in bed until he came to Donald where liquor would be obtained. He would go along to Laggan where the police were stationed. The police were on the trains and were keeping close watch. I did not, of course, know all their secret ways and their mode of operation, but I have been up and down sufficiently on the train to know that officials were on the watch. Men would carry liquor in the baggage cars, between the cars, in different compartments of the cars, in the berths they pulled down in the colonist cars, in the Pullman cars, in their own satchels and if the train happened to be late they made up berths and the liquor would be put into the bed. The liquor would be thrown off at one point. The police, as I understood, had a perfect right to get on board the cars and keep a watch on the travellers. I do not believe there was a point on the road where there was so much liquor shipped as at Laggan. It was not only shipped in two or five gallon lots but even large quantities were shipped. I remember one case, I do not remember how many gallons there were, where there was \$500 or \$600 worth of liquor brought down in a car of lumber, and it was captured. Every possible means were taken to prevent the liquor being brought in, and also every possible means were taken to bring it in.

38965. Speaking of the license law now in force, do you think it is working well?—I think it might be benefited by being amended in some particulars. It is a new law. No doubt it will be found that there are some conditions which require to be amended in some directions.

38966. This is, of course, a small community enjoying a considerable share of the summer trade: how many people have you here?—Two hundred.

38967. You say there are five licensed places here, four retail and one wholesale. Do you not think that is a large number for a place of this size?—I do.

38968. Do you know whether those licensees observe the prohibitory clauses of the license law?—I do not suppose that they absolutely observe them.

38969. Would you regard the law, then as regulating the trade, and as giving permission to a certain portion of the trade to disregard the law, at all events for a certain portion of the time?—I do not think they do disregard it, but no doubt many of those provisions might be more exactly carried out.

38970. Whose duty is it to enforce the law?—I think it is the duty of the License Commissioners.

38971. They are not here?—No, but they could appoint Inspectors or one Inspector.

38972. But the Inspector resides some distance from here and cannot easily reach the spot?—Yes.

38973. Is the difference between the old system and the present system this, so far as the law is concerned, that the old system did not give an opportunity, except by permission of the Governor, to disregard the law (and of course he could disregard the law as much as he pleased,) while the present law gives no opportunity to disregard the law, except during prohibited hours?—I do not know that I could say that was the case as regards the law.

38974. What would be your idea of the difference between the two systems?—The opinion I have in regard to the difference is this: that the people now have a law which they prefer, for they are no longer dependent on the caprice of one man. This law, being the law of the people, is more satisfactory to them, and they will lend their aid and assist to carry it out better than if it were another law.

38975. Have they done so?—I think they have.

38976. Will you state instances where there have been violations, and where the people have given their aid to enforce the law?—I do not know that I could state any instances, but the general sentiment of the people can be pretty well felt.

ROBERT GEORGE BRETT.



38977. Do you understand the general sentiment of the people to prefer a license system to the old system and to prefer this license system to prohibition? I think there is a very large majority of the people in the Territories who prefer this license system to the old system. I also believe there are a large number who would prefer prohibition to license.

38978. Do you think it would have been better to have taken a vote of the people before substituting the license law for alleged prohibition, that is between license proper and prohibition proper?—I do not think it would; I do not think it is the best way to take the votes of the people.

38979. Do you think it would have been better to have made the question of prohibition *versus* license an issue at the last election?—In the greater portion of the Territories active measures were taken towards that end. Meetings were held and a great deal of force and energy were expended in endeavouring to make it an issue, but, as I have explained, no one was willing to take hold for the purpose of being the champion of the prohibition side.

38980. Were there not other questions regarded as important and essential to the welfare of the Territories that overshadowed this question and everything else; was there not the question of responsible government involved?—I cannot say that there was. As regards the question of temperance, there was a temperance candidate at Qu'Appelle, and he was about the only one. Out of twenty-six members there was only one who posed as an opponent to the system of responsible government.

38981. Have you observed whether there has been more or less drinking under license than before?—I can only speak from my knowledge of the districts of Banff, Anthracite and Canmore. With these places I am somewhat familiar. Outside of them I may say that I have been in Calgary quite often since the election and have been in Regina and lived there for some time. I think there is very much less drinking here now than there was under the old system.

38982. Is that traceable to the licensing of the trade here or to the influence of the temperance societies here?—I think there is an element in both tending to bring about that result. The largest element, perhaps, is that there are fewer places selling. Take this town, at one time I think there were as many as twelve places selling.

38983. What has become of the people here who sold illicitly and who are not selling now?—Some left the place.

38984. Are those who now sell the same as those who sold illicitly?—Some of them are the same people.

38985. Do you think there is any illicit trade here at all?—No.

38986. Do you think there is less liquor sold now than there was before?—Yes, I believe there is less sold now.

38987. You think there is less sale even, although the trade is permitted now?—Yes, I think there is less. There are not so many people here now as in years gone by, the resident population has decreased. That may account for the diminished consumption in some parts. In regard to the mines, I may say that I do not think there is very much liquor sold to the miners. And another thing is that there are less places where liquor can be got, though there are quite enough.

38988. You are proprietor of the Sanitarium?—Yes.

38989. Have you a license?—The licensee has a license.

38990. Then it is not under your management?—No, the house is managed by Mr. Caffrey. He manages the house for me; but the licenses of the bar and of the billiard rooms are outside of him.

38991. Are they in the establishment here?—Yes, a portion are.

38992. Did his establishment sell under the four per cent beer plan?—Yes. The Sanitarium and the Canadian Pacific Railway Hotel had special privileges granted to them that were not given to any other hotels in the Territories.

38993. Was that done by the Dominion Government?—It was brought about by the Dominion Government. The prerogative of the Lieutenant-Governor had to be exercised and he had to be the consenting party, and by the Department of the Interior it was considered wise that beer and wine should be allowed, and accordingly both this hotel and the Canadian Pacific Hotel were allowed to sell wine and beer.

38994. Are those all the places that sold ?—Yes, so far as I am aware.

*By Judge McDonald :*

38995. About the temperance candidates and prohibitionists at the election : did they organize ?—Yes.

38996. And there was only one prohibition candidate elected ?—Yes, the candidate for Qu'Appelle.

38997. Only one in the whole Territories ?—Yes, and there are 26 members.

38998. You have been asked whether the people were not considering more the question of responsible government and other issues. Was there anything to prevent the prohibitionists, if they wished, placing a man in the field who was in favour of responsible government and also a prohibitory law ?—No.

38999. But you have said that you do not think they would have been successful if they had been put forward ?—I do not think they would.

39000. You think the larger number of the people were not in favour of prohibition ?—I could not say.

39001. What is your opinion ?—My opinion is that there is a large portion not in favour of prohibition, but I can not say whether there is a majority or not ; there is in this district certainly.

39002. If there had been a majority in favour of prohibition do you think they would have endeavoured to carry their sentiments to a legitimate conclusion by placing candidates in the field ?—I do not think there is a majority or anything like a majority in favour of local prohibition.

39003. I am speaking of prohibition such as is asked for ?—No, I do not think there is a majority in favour of prohibition at all.

39004. Have you any means of knowing, taking the Territories as a whole, what the sentiment of the people would be in regard to the question of prohibition ?—I do not think that I have.

39005. You have been asked in regard to the question of submitting this matter to the vote of the people, yea or nay, and you have said that you are not in favour of that ?—I am not.

39006. You are a representative of the people, we understand ?—Yes.

39007. Are other Members of your opinion ?—Yes.

39008. Which is more consistent with the constitution of Great Britain and Canada, to take a vote of the people on a question, or leave the matter to their representatives and allow them to decide ?—I take it that the proper way is to leave the representatives to decide those questions, if they are in keeping with constitutional usage.

39009. Would you not hope in case such a course were adopted, that representatives would give the matter more careful consideration than could be given to it on a popular vote of yea and nay, especially when taken on an abstract proposition ? Yes, I think they would probably arrive at more sensible conclusions.

39010. You have spoken about liquor permits being issued to cover liquor. Do I understand that people would have large quantities of liquor brought in, not on permits but smuggled in, and that from this stock they would take smaller quantities which they would keep to sell, and have permits to cover them ?—Yes.

39011. And they exercised care that the quantities were within the limits specified ?—Yes.

39012. You think permits were issued for that purpose ?—That was common talk.

39013. In your opinion was the greater portion of the permits issued used legitimately ?—Yes.

39014. I think you have explained that, although the right of search on Pullman cars was taken away, still the police had power to watch and trace the liquor if possible ; and that liquor was yet carried on Pullman cars ?—Yes.

39015. Mr. Stewart, of the Government Park, has stated to us that in his opinion the park would be better under section 19 of the regulations as regards the liquor traffic than under the present law. What is your opinion in regard to that matter ?—Of course section 19 refers to the North-west Territories as well. If Mr. Stewart thinks the

ROBERT GEORGE BRETT.

liquor traffic in the park should be placed under the Department of the Interior and its enforcement carried out by the officials of the park, I think, perhaps, he is quite right.

39016. You refer to this clause?—That clause of course connects it with the Territories.

39017. He simply means that the license law should refer to the Territories but not to the Rocky Mountains Park and that it should be left to be regulated by clause 19 of the Act referring to the park?—That would be more satisfactory than the complicated position in which the matter rests now.

39018. Is it complicated at present?—Yes, owing to that clause. The Department claims jurisdiction under that clause, and also the right to impose a further tax of \$50. There are people within the park who believe that the Department has no such right, for the reason that the section under which this right has been claimed has been repealed by the passing of the license law for the Territories, which certainly applies to the park as well as any other portion of the Territories.

39019. Is that matter now before the courts?—Yes.

39020. Which would you prefer, that such a regulation as that should be passed and applied to the park, or that it should be in the same position as the rest of the Territories under the license law?—I prefer that the regulation should be applied to the park.

39021. You would like to have a special system for the park itself?—Yes.

39022. And keep it entirely free from North-west legislation?—Yes, or at all events give it one or the other.

39023. But which would you prefer?—I prefer to have it under the park management.

39024. You think the whole matter connected with the Park should be dealt with by the Department of the Interior?—Yes.

WILLIAM McNAB, of Banff, theological student of the Presbyterian Church, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

39025. Are you a minister here?—I am a student.

39026. Have you charge of the Presbyterian Mission at Banff?—Yes.

39027. Do you know anything of the smuggling that is said to have taken place in this district?—No, I do not.

39028. Have you considered the prohibition question?—Yes.

39029. Are you favourable to prohibition?—Yes.

39030. Are you opposed to the licensing of the traffic?—Yes.

*By Rev. Dr. McLeod :*

39031. What opportunities have you had of observing the condition of affairs in the North-west Territories?—I have had every means that it is possible for a person in my position to have. I have had my field of work along the line of the railway. My field during the greater part of the summer has been along 160 miles of the road. I have been going to and fro. I have been with the people as much as possible, and I have seen what influence the traffic had on the people.

39032. Have you noticed anything about that traffic prior to the license law coming into operation?—I noticed it for a short time.

39033. What was the effect?—I noticed that there was a great deal of drinking being done.

39034. How do you harmonize the drinking with the fact that there was supposed to be prohibition in the Territories?—Because I felt that the officers and authorities were in collusion with those selling, in fact I am satisfied from their own testimony, and



from what I have seen myself, that the Mounted Police did not try to keep liquor out in many cases.

39035. Do you say that the police did not try to keep liquor out?—Yes, I remember of one case where a policeman told me that he desired to prevent the bringing in of liquor, but that it was of no use to do so, for he said, “when I once did so I would get a slight reprimand from those above me and the warning that I need not be so particular.”

39036. Have you observed the license law in this district?—Yes.

39037. What do you think of it?—From what I have seen of the effects round here it has certainly been injurious. I have seen men fall flat on the sidewalk and lie there for a long time. I have seen them thrown out of bar room doors and lie on the sidewalk.

39038. Did you see such occurrences before the license law came into force?—I did not see such cases, but I suppose such things have happened before, but I have seen men decidedly under the influence of liquor before.

39039. Did you attribute that condition to the prohibition in the law or to the lax administration of the law as regards its enforcement?—It was the lack of enforcement.

39040. Having mingled with the people and having observed them and conversed with them, do you believe the people, so far as you know them, prefer a license system to well enforced prohibition?—I have a right to know the opinions of the people in this community. When I heard that the Royal Commission was coming here I thought I would take steps to inform myself in regard to public opinion, so as to be able to speak on the question. I went to the people with this petition.

*By Judge McDonald :*

39041. Did you send the petition to the Legislature?

WITNESS.—This is the petition.

JUDGE McDONALD.—I do not think anything of this kind can be admitted. I think, however, the witness may speak of what he considers to be the opinion of the people.

*By Rev. Dr. McLeod :*

39042. You went to find out the opinions of the people here as to prohibition *versus* license?—Yes.

39043. What did you do in order to find that out?—I went with this petition.

39044. I do not see any objection to having the paper in; but I want you to tell us what you said to the people?—What I said to the people was this: That I wished to find out from them whether they were in favour of national prohibition, or whether they were in favour of the sale of liquor. What I was endeavouring to find out was whether the people were in favour of national prohibition as against license; and I am now prepared to say what their opinion is. I tried to get to everybody in the community. I may say that there are about 100 people in the place and I found that 80 were in favour of national prohibition. I have here the name of one person who asked for continental prohibition. I think that is one thing that we in this country have nothing to do with. In my round I did not come across more than half a dozen people who wanted license.

39045. Then 80 people expressed themselves as preferring national prohibition to license?—Yes. I have not some of the names of those belonging to the temperance societies, as it was impossible for me to get around to every one.

*By Judge McDonald :*

39046. Are those 80 names of males?—They are all the names of grown up people, male and female, but there are only a few women here, and there are very few of their names down.

39047. Did you report to the police that infringements of the law had taken place?—I got into difficulty with the policeman because of the fact that I had spoken publicly and condemned the police. I did it in the presence of the policeman, for I would not pass by a hotel that had no license, but I could see the sale of liquor taking place.

WILLIAM McNAB.



39048. Did you report the policeman to his officer?—No, because as far as I was concerned, I was never well acquainted with the customs of the country.

39049. Then you did not report him to his officer?—No, because he is the only man in the place.

39050. Have you any objection to give the name of the officer who told you he was censured for doing his duty?—So far as I am concerned I would be proud in doing so, but it is like this: I do not know whether it is proper to do so, because if it was a thing that I should do, I would do it. I know the man is of such a character that he would deny it, because he is one of the men on the force.

39051. You did not report to the superior officer what occurred, and that the constable had said when he enforced the laws too strictly he was told not to be so particular?—No.

39052. You heard Dr. Brett's evidence. Can you account for the fact that in a population of about 100, 80 of them being in favour of prohibition according to your statement, prohibition did not become an issue at the last election, and that the majority of the members returned were in favour of license?—I can tell you, I can give a reason that is quite clear. At the present time the people are doing a little more thinking, and one of the ends your Commission is going to accomplish is to make the people think. Many a man drinks and does not realize what he is doing, but when the question is brought home to him and when he sees the injury done to families and society, he comes to the conclusion that national prohibition would be the very best thing.

39053. Dr. Brett has told us that this question was tried to be made an issue at the polls, but that the people did not make it an issue. Can you account for that?—I cannot, for I was not here at the time. But still it is like this, that the people in this matter had not the question brought fairly and clearly before them—that is, the right and the wrong of the thing.

39054. But Dr. Brett says that the matter was brought clearly and strongly before the people?—It could not have been brought before them sufficiently strongly.

39055. Do you think you could have brought it more strongly before them than Mr. Spence?—I think he is a very strong advocate.

*By Rev. Dr. McLeod:*

39056. Is it a fact that the representative of the district is in favour of national prohibition? Do you think that the people know that their representative is in favour of that and is, therefore, in accordance with their feelings?—There is a little uncertainty in the minds of the people in regard to that question.

REV. DR. McLEOD.—Concerning those people, was there any indication that they would sign a document, I mean those people with whom you conversed about prohibition. So far as I am concerned, as a Commissioner, I am perfectly willing to have the document filed.

JUDGE McDONALD.—I object on the ground that the sentiment of the people should be obtained from themselves, and if they wish to have their opinion entered in any other way they should petition Parliament.

WITNESS.—From what I know of the law courts, there has not been a case tried in the North-west Territories with which liquor has not had something to do.

The Commission adjourned, to meet at Victoria, British Columbia.

HON. JOSEPH ROYAL, Lieutenant-Governor of the North-west Territories, who was unable to appear before the Commissioners at Regina, having been called away on official business, subsequently forwarded to His Honour Judge McDonald, Acting Chairman of the Commission, the following statement :—

The Honourable  
Mr. Justice HERBERT S. McDONALD,  
Brockville, Ont.

GOVERNMENT HOUSE,  
REGINA, January 7th, 1893.

SIR,—In compliance with your request, I have the honour to forward you herewith the following statement for the information of the Royal Commission on the Liquor Traffic.

At the time of my appointment as Lieutenant-Governor of the North-west Territories, 1st July, 1888, I found the population of the Territories placed, as far as the liquor traffic was concerned, in a very extraordinary position.

According to some, the country by the Act of 1875 had been virtually given a system of prohibition, and if the full benefit of the law, so interpreted, was not enjoyed by the settlers, it was attributed to the perverse action of the Lieutenant-Governor.

Others argued that Parliament never had any such intention; that the object of the law of 1875 was simply to afford further protection to the Indians of the plains against the consequences of the introduction of intoxicants into the Territories; that such a law had become obsolete, quoad the liquor traffic, owing to the complete change of circumstances, and that so long as the Act remained on the Statute Book it was the duty of the Lieutenant-Governor to carry its provisions into full effect, however impracticable and abhorrent the result might prove.

Of these two propositions, the latter seems to be the only one supported by the facts and by the actual meaning of the law. It will be my aim, therefore, in this paper to show the circumstances under which the law of 1875 was adopted, the immense benefit it conferred upon the Indians, the protection it afforded the Canadian Pacific Railway, the radical changes in the social condition of the country which rendered the application of its provisions extremely difficult, the precautions taken to prevent illegality, and finally how public opinion compelled Parliament to vest in the Legislative Assembly of the Territories the power to legislate upon the liquor question, and the adoption by that body of a high license system.

Some statistical information will also be given tending to show the state of criminality to be found in the Territories during the "Permit system."

#### I. THE LAW.

Now, what was the law prevailing in the North-west Territories up to last year respecting the liquor traffic, and what were the circumstances under which it was adopted?

As early as 1868 the Dominion Parliament passed an Act to prevent, under severe penalties, the Indians all over Canada from being supplied with intoxicants; in 1875 it was further enacted that every person in the North west Territories was prohibited to manufacture, import or keep in his possession any spirituous liquors. The North-west Territories Act of 1886, which was a consolidation of former Acts, reiterated the same provisions in the following terms: to wit:—

(S. 75.) "No intoxicating liquor or intoxicant shall be manufactured, compounded or made in the Territories except by special permission of the Governor General in Council; nor shall any intoxicating liquor or intoxicant be imported or brought into the Territories from any Province of Canada or elsewhere, or be sold, exchanged, traded or bartered or had in possession therein except by special permission in writing of the Lieutenant-Governor."

That is to say, while the Privy Council retained to itself the power to permit the manufacture of intoxicants in the Territories, all the powers generally vested in licensing bodies concerning the traffic were centralized in the Lieutenant-Governor's hands. This

HON. JOSEPH ROYAL.

official was left to use his own discretion in granting exemption; the law did not preclude him from doing so; he was not circumscribed in his action. At the same time, he could not systematically refuse to issue such exemptions, and thereby ignore the intention of Parliament. Had the intention been to make the law prohibitory, the language of the statute, no doubt, would have been different, and the exemptions to be made by the Lieutenant-Governor would have been severally stated and carefully mentioned.

On the other hand, such an enactment was desirable and possible only in a country where the white man had hardly penetrated. As a matter of fact, the white population of the Territories in 1875 was very small indeed, and consisted chiefly of the missionaries and employees of the missions, of some fur traders, of the officers and men of the Hudson Bay Company's forts, and of a limited number of settlers and officials of the North-west Government. It follows from these considerations that by placing in the hands of the first executive officer of the Territories the absolute power to dispense with certain provisions of the Statute, Parliament established a system which was obviously limited in its operation by the creation of such a power. In other words, while it was an easy task for the Lieutenant-Governor in a small community to promptly investigate any application for a "permit," it will readily be seen how well nigh impossible such an investigation would become as soon as the white population had reached the thousands.

About the same time, and with a view of stopping at any cost the ravages caused amongst the Indians by the American rum traders, as well as to assist in carrying out the North-west Territories Act, the Dominion Government provided for the creation of a permanent force of Mounted Police to be stationed and do duty in the Territories. And it is only proper to say that such was the activity displayed by this force in the suppression of the liquor traffic, that within a few years the whisky smugglers were tracked everywhere, their nefarious trade was seriously impaired and a fatal blow struck at their criminal raids. The efforts of the missionaries to christianize and civilize the Indians became less arduous and more effective, and a new and peaceful condition of affairs prevailed in that vast country.

## II. ITS RESULTS.—III. SOCIAL CHANGES.

For seven years and more the law of 1875 had brought about all the good results that the legislation had anticipated, when in 1882 and 1883, the Canadian Pacific Railway Company placed under contract the construction of its line across the plains to the Rocky Mountains. Many apprehended, and not without reason, that the cortege of crimes of all sorts, which had accompanied the construction of transcontinental lines in the United States, would inevitably appear from the moment the uninhabited Territories were reached; fears of interference by the Indians with the progress of the work were also entertained. Yet none of these fears and apprehensions were realized. Owing to the absence of strong liquors in the camps of the railway navvies, owing to the discipline and strict surveillance exercised by the North-west Mounted Police, the construction was proceeded with and carried on through more than seven hundred miles of vacant and silent plain with at least as much order and tranquillity as if it had been across any of the Provinces of Eastern Canada. The flow of immigration into the Territories speedily followed the completion of the Canadian Pacific Railway to Calgary in 1883; the settlement of Eastern Assiniboia was commenced and pushed forward vigorously, while small settlements were being rapidly formed along the main line of the great railway and on the North Saskatchewan.

The Dominion Census for 1880-81 gives a total population for the North-west Territories, comprising the area known as Rupert's Land, of 56,446, divided as follows:—

Indians.....	19,472
Whites, including half-breeds.....	6,974

Very little reliance, however, can be placed upon these figures, as they are greatly exaggerated, and in most cases a mere guess work of the census enumerator. It is not safe, therefore, to take them as a term of comparison.

Nevertheless, an idea may be formed of the rapidity with which immigration followed the Canadian Pacific Railway, by the figures mentioned in the Dominion Census of



1885 and 1890. The population enumerated in the provisional districts of Assiniboia, Saskatchewan and Alberta, exclusive of the Peace River and the Mackenzie Territory, is estimated for 1885 at :

Whites.....	28,192
Indians.....	20,170
Total.....	48,362

The Dominion Census, 1890-91, gives the following figures for the same provisional districts :

Whites .....	53,046
Indians.....	14,508
And for the Northern Unorganized Territory.....	32,168
Total.....	99,722

Therefore, in the short space of five years, the white population had more than doubled, and this calculation would yet be very materially increased if the eastern limits of Assiniboia had not been very largely curtailed, in 1881, by the extension of the Province of Manitoba some seventy odd miles to the west.

As a natural consequence of the settlement of the Territories and of a deeply altered condition of society, the necessity of a corresponding change in the laws that governed the country became apparent, and none so much as the liquor enactment applicable to the white settler.

#### IV. DIFFICULTIES FROM CHANGE OF CIRCUMSTANCES.—V. PRECAUTIONS ADOPTED.

Loud and continuous were the complaints of a large and most desirable class of immigrants after they discovered that their supply of wine or beer depended altogether upon the good-will of a Government official. Public opinion asserted itself against this law in various ways, and a daily experience showed the extreme difficulty of carrying it out. No wonder, therefore, that the granting of "permits" or exemption gradually assumed the character of a regular system under my predecessors in office.

What had been intended as an exception by Parliament soon overshadowed the law itself and became the rule. It was, of course, to be expected that Parliament would amend the law, and that new provisions would be enacted whereby either total prohibition or some licensing organization would supersede the individual action of the Lieutenant-Governor ; this indeed would have been done, had it not been, as it was reported publicly, for the agitation of the prohibitionists all over the Dominion. Meetings were held, strong language prefacing stronger resolutions, was used ; a certain class of preachers raved and denounced : false statistics were invented by ignorance and accepted as true by the majority : and such was the storm raised that no attempt was made to move Parliament in the matter. It seemed to have been an axiom with many that the Territories were a fit country upon which to try an experiment, the application of fanciful theories of social economy. Be that as it may, the fact is, that at Regina, in the month of July, 1888, the "Permit system" was in full blast. The law in respect of liquor prohibition had degenerated into the most unsatisfactory and crude licensing organization possible, unfit for a free people, and painfully retrograding as compared with the methods which statesmen are now devising for the regulation of this social evil.

The crucial problem of the new system seemed to be, how best to guard against the abuse made of its working. Rules had been already adopted ; new ones were added, of which experience had taught the necessity, and as great strictness as possible was exercised in their enforcement. The following is a summary of the regulations observed in the granting of liquor permits :—

1st. No application for permit to import intoxicants "for domestic use" was allowed, unless recommended either by a Magistrate, a member of Parliament, a Member of the Legislature, or a well known citizen of standing and respectability.

HON. JOSEPH ROYAL.



2nd. No application was granted to any one convicted of having once abused the privilege of a permit.

3rd. Every morning large batches of applications, either unrecommended or in the least doubtful, were mailed to the various Police Officers in command of the different Posts in the Territories, with a request to report privately what was known of the character, antecedents, and present position of the applicants residing in their neighbourhood.

As may be well imagined, these permits, however carefully granted, not unfrequently fell into the hands of unworthy persons and were the source of much disorder and scandal. With what a fertile theme did not these abuses supply the writers and preachers in thundering forth against the Lieutenant-Governor, whom they accused of "debauching the country"?

In the absence of any action by Parliament to amend the law, numbers of good citizens discussed the propriety of allowing public houses to dispense beer to the traveller and visiting delegates. It was suggested that such a measure, besides having the result of inducing the opening of good hotels, would also be the means of supplying the people with a cheap and healthy beverage, and of keeping them away from stronger stimulants. After mature deliberation, I accepted the idea, which was immediately carried into effect under a complete code of regulations.

The licensing system developed under my predecessors, was to this further extent completed by me, pending the decision of the legislative authorities at Ottawa. The regulations adopted referred to the personal character of the applicant, to the accommodation of the hotel, to the days and hours of closing, &c.; and the North-west Mounted Police were charged with the duty of keeping constant watch over these houses. As no license but a permit only was issued, and such permit had to be renewed frequently, any disorder or breach of the regulations was at once visited upon the applicant by a refusal to grant further privileges. The result of this new measure was alluded to by the Auditor of the Government of the North-west Territories in his report for the year 1888, wherein he stated there was a marked decrease in the demand for liquor permits since the issue of sale permits for beer, and at the same time an increase in the revenue.

In 1883, Lieutenant-Governor Dewdney imposed for the first time a fee of fifty cents per gallon, to be paid by the applicants for liquor permits, beer being free as well as wine imported for sacramental purposes. No change was made by me in that respect. A fee of ten cents per gallon upon beer imported for sale was imposed upon all successful applicants; and in that manner a small income was created for the Territories. I need not say that a statement of the receipts derived from that source was at the beginning of each session of the Assembly laid on the table, after being audited and published with the Public Accounts of the Territories.

In some quarters it was attempted to be made out that the beer imported and sold under the above mentioned regulations was a wretched article. All that can be said is, that I could not very well lay down any rule in that respect, and that the quality of the beer, apart from the limitation of its strength of four per cent alcohol, was a matter resting purely and solely between the importer and consumer.

The public was not slow in showing itself in favour of the new policy; and an attempt having been made in the Territorial Assembly to elicit a hostile declaration, the motion was lost, only the mover and seconder voting in its favour.

#### VI.—PUBLIC OPINION ASSERTS ITSELF.

But it belonged to the general election of the fall of 1891 to demonstrate in an unequivocal manner what were the feelings of the electorate concerning the settlement of the question. The Parliament of Canada having in the session of the same year vested in the Legislature the power to pass Ordinances in respect of the liquor traffic, the question was at once put at issue before the electors. The result was, that only a small group of prohibitionists were returned, and the Legislative Assembly, after careful deliberation, adopted a high license and local option ordinance, which came into operation on the 1st May, 1892, and is to-day the law of the land.

## VII.—STATISTICS.

As the above considerations would not be found complete without affording some means of comparison, I have compiled from official documents, statistics concerning the number of "permits" issued in each year, as well as concerning the criminality of the Territories during as nearly as possible a corresponding period.

## STATEMENT "A."

Year.	Total Liquor and Beer Permits issued.	Total Gallons of Spirits.	Total Beer.
1883.....	1,874	4,451	1,468
1884.....	2,457	5,404	3,565
1885.....	1,761	3,682	5,322
1886.....	3,559	6,604	12,672
1887.....	3,663	6,979	12,865
a1888.....	4,233	8,561	25,767 <sup>b</sup>
1889.....	5,424	11,660	112,448 <sup>b</sup>
1890.....	5,754	12,417	97,116 <sup>b</sup>
1891.....	5,970	14,341	86,926 <sup>b</sup>

a. Lager beer was allowed to be imported for sale in August of this year.

b. Note by the Commission:—These figures represent only the 4 p.c. beer.

By comparing the figures above given for 1886 with those of 1891, it will be seen that while the population more than doubled during that time there is a marked decrease in the issue of permits, as well as a slight proportional decrease in the number of gallons of spirits imported.

I quote now from the Statistical Year Book of Canada, published by authority, the following summary of the number of indictable offences tried in the Territories from 1885, the year of the rebellion, to 1890:—

1885.....	118
1886.....	53
1887.....	15
1888.....	49
1889.....	57
1890.....	92

From the criminal statistics compiled from the Magistrates' returns received in the Lieutenant-Governor's office at Regina, from 1886 to 1892, the subjoined figures are given:—

	1886.	1887.	1888.	1889.	1890.	1891.	*1892.
Drunk.....	74	67	67	116	43	58	103
Assault.....	43	34	46	67	35	54	46
Liquor law, violation of.....	105	67	82	78	46	40	21
Stealing.....	25	40	39	54	37	10	8
Gambling.....	10	10	5	24	0	2	0
Vagrancy.....	11	11	5	17	22	10	15
Prairie fires, poisons and game Ordinances.....	5	6	14	33	16	18	20
Masters and servants ordin- ances'.....	31	16	28	27	12	13	8
Killing and wounding animals.	4	3	9	2	2	0	0
Other offences.....	24	39	22	45	50	81	57
Totals.....	332	293	317	463	263	286	278

\*The first three quarters only.

HON. JOSEPH ROYAL.

In proportion to the estimated population it may be said that the North-west Territories, as regards summary convictions, offer the lowest standard of criminality, not only in Canada, but elsewhere, for nearly every year above given.

Here is the total number of convicts received from the North-west Territories at the Manitoba Penitentiary for a period of six years :—

	Males.	Females
1887.....	11	0
1888.....	6	0
1889.....	10	0
1890.....	20	0
1891.....	18	1
1892.....	13	1

It will be noticed that the above statement does not mention any female convict being sent from the Territories to the Manitoba Penitentiary, prior to the year 1891.

I have the honour to be, Sir,

Your very obedient servant,

J. ROYAL,

*Lieutenant-Governor of the North-west Territories.*

These figures represent the number of persons tried, whether convicted or discharged. (Secretary Gordon's letter, November 27, 1893). *Note by the Commission.*





## MINUTES OF EVIDENCE.

### BRITISH COLUMBIA.

VICTORIA, November 17, 1892.

The Royal Commission on the Liquor Traffic met here this day.

*Present :*

JUDGE McDONALD.

REV. DR. McLEOD.

ROBERT BEAVEN, of Victoria, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

39057. You are Mayor of the City of Victoria, I believe?—Yes.

39058. And a Member of the Provincial Legislature for this city?—Yes.

39059. What is your occupation?—I am out of business.

39060. How long have you resided in British Columbia or Vancouver Island?—In British Columbia for a number of years; I do not recollect the number, probably 30 years.

39061. During that time have you resided altogether in Victoria?—No; I have resided here permanently since 1886.

39062. During the time of your residence in this province has there always been in force a license law in regard to the liquor traffic?—I think so.

39063. Has there ever been a prohibitory law in force in this province?—Not that I am aware of.

39064. Never within your recollection. Was there ever untrammelled sale?—Not to my knowledge. The question of dealing with the liquor traffic was not brought to my attention very much until I became a member of the Legislature.

39065. During the time of your residence in British Columbia, have you found any change to have taken place in regard to the social habits of the people respecting the use of intoxicating liquors as beverages? Is there more or less used now than formerly?—I certainly do not know.

39066. Have you noticed that as the population has increased, the social habits of the people have changed, so that there is less drinking than formerly?—I cannot say that I have noticed any change; at all events, I have not noticed any change of material importance. The Customs-house would give that class of information I think.

39067. The Customs returns would show, of course, the quantity brought in; but I am inquiring as to the habits of the people, whether more intoxicating liquors are used than formerly?—I cannot express an opinion on that subject.

39068. How long have you been Mayor of the city?—Since last January.

39069. How long have you been a member of the Legislature?—I think about 21 years, ever since Confederation.

39070. Taking the population as a whole, as you have known the people, are they sober and law-abiding?—I should certainly say so.

39071. Are the business interests of the city in a prosperous condition?—I think so.

39072. Are you able to say, from your knowledge, whether the business interests of the city have been, or are to any extent affected by the liquor traffic in one way or the other?—I think some one more actively engaged in business would be better able to answer that question than I am.

39073. Are you acquainted at all practically with the working of the license law?—Yes.

39074. How does it work?—I sit as a member of the licensing Court.

39075. For the purpose of granting licenses?—Yes.

39076. Then you sit in the Court as Mayor of the city?—Of course my experience is as Mayor of the city, although I have been Mayor only since January last.

39077. Have any licenses been granted?—If my memory serves me rightly, two or three.

39078. Have you an Inspector of licenses for the city?—No.

39079. Who looks after houses that are licensed?—The police.

39080. Has the city an officer who issues licenses and receives fees?—No; the License Commissioner attends to that matter.

39081. Then he is the executive officer regarding licenses and the payment of fees?—Yes.

39082. Of course he would be able to give statistics in regard to the number of licenses?—I can tell you that.

39083. How many are there?—I desire to explain to the Commission that there are different classes of liquor licenses in the city. We have, first, what are known as the old liquor licenses, which were introduced a great many years ago. The holder comes to the collector once every six months and pays the license fee. He does not come before the Licensing Board at all, unless there is some complaint made against the house by the police or somebody else. That system was changed a short time ago.

39084. What fee do those people pay?—Each pays \$100 every six months, or \$200 a year. Those are called retail liquor licenses. The system was changed last year, and all licenses issued after April 30, 1891, are issued differently.

39085. What is the present system?—The licenses are only granted for six months; and in order to obtain a renewal, the holder must come before the Licensing Board, and must have the license granted to him, or refused, as the Board think fit.

39086. What is the fee he pays?—The same as the other retailers. The business is the same, the only difference being that the holder has to come before the Board. The holder has to advertise for 30 days before the sitting of the Board that he intends to apply for renewal of license during the ensuing six months.

39087. On what guarantee is he allowed to sell?—He is allowed to sell by the police on the retail liquor license. We have those two classes of retail liquor licenses. Then we have a restaurant license and bottle license and wholesale license. The restaurant license allows selling, as provided for in the Statute:

“Any person who keeps a restaurant and supplies beer and porter and wine with meals and not otherwise.”

That is a restaurant license.

39088. What is the fee for a restaurant license?—\$25 every six months or \$50 a year.

39089. Do they have to secure a renewal the same as the retailers?—Yes, if the license had been issued after the date I mentioned. There are two restaurants holding retail licenses.

39090. What is a bottle license?—It is defined in the Statute in this way:

“Every person holding a retail license issued under section 1 or 5 or 6 of this section, who sells, barters or traffic, by retailing unfermented, spirituous or other liquors in a shop, store or place, other than in a saloon, ale or beer house or other houses of public entertainment, in quantities of not less than a reputed pint bottle, at any one time to any one person, and at the time of sale wholly removes and takes away the liquor in quantities of not less than one reputed pint bottle, for each house or place where such vending is carried on, the license fee for such shall not exceed \$75 for every six months.”

The fee is \$75 the highest rate the Legislature authorized.

ROBERT BEAVEN.

39091. What is a wholesale license?—It is defined in this way:

“Any person not having a retail license as above and vending spirituous and fermented liquors by wholesale, that is to any in quantities of not less than two gallons for each house or place, shall pay a license not exceeding \$50 for every six months.”

\$50 is the rate the city levies.

39092. On the retail and restaurant licenses, under which liquor may be sold by the glass, may the dealers sell in large quantities also?—No, not wholesale.

39093. The licensee is confined to sale by the glass?—Yes. I suppose a restaurant could sell by the bottle, and put it on the table.

39094. Are the hotel fees the same?—This is what the Statute says:

“Any person vending wines, spirits, beer or other fermented or intoxicating liquors by retail in any building in use as an hotel and containing not less than 30 rooms, actually furnished and used for hotel purposes, and for each house or place where such vending is carried on, not less than \$100 and not more than \$200 for every six months.”

39095. \$100 is the fee charged, we understand?—Yes.

39096. Would you class the hotel license as different from the retail license?—Not particularly, they are the same.

39097. Will you kindly give the Commission the number of licenses?—Retail bar licenses: hotels 31, saloons 47, restaurants 5, retail liquor licenses 2, making a total of 85, paying \$100 every six months. Bottle licenses and groceries combined, 3, paying \$75 each month. Restaurants, selling beer, porter and wine with meals, 3, each paying \$25 every six months. Wholesale liquor licenses, 21, paying \$50 each every six months. Total, 107.

39098. What is the total income?—I can give you a return of it.

39099. Is that a return for 1891?—No, it is a return for 1892.

39100. Are you able to speak with regard to 1891? I have a return here for 1891, which was handed to me, and the figures differ slightly from your return?—Are they more or less.

39101. They include six breweries?—They come under the Dominion License Act.

39102. There is no local license exacted, I suppose. Do you know whether there are six breweries here?—No.

39103. Are there any breweries?—Yes.

39104. Any distilleries?—No, I think not.

39105. The figures for the return of 1891 are as follows: 29 hotels, at \$200, \$5,800; 17 saloons at \$200, \$9,400; two restaurants at \$200, \$400; 8 wholesale at \$100, \$800; 14 retail at \$100, \$1,400; 4 restaurants at \$50, \$200; Total \$18,000. Six breweries payment not given.

39106. There is a material difference between the figures, I observe?—I fancy they are correct.

39107. I notice from this return that the income for the city from this source is put down as \$18,000?—That amount is very likely to be correct.

39108. There has not been a very large difference in the current year?—No. It is very difficult to obtain a license in Victoria just now.

39109. Are there requisite preliminaries to be complied with before a license is obtained? Until the last session of the Legislature the principle of local option was in vogue in this city. For instance, if you wanted to obtain a license for a building situated as this is, on a corner, the applicant would have to obtain a certain number of property holders living in the block and three adjoining blocks before he could get a license granted to him. That system continued in operation until the last session of the Legislature when a new clause was inserted in the by-law. This year there were no licenses issued. I will read the clause to you.

“Notwithstanding anything contained in the Act, any applicant for a license to sell wine, spirits, beer or other fermented or intoxicating liquor in an hotel, containing not less than 30 rooms, used or to be used for hotel purposes, shall not be required to obtain a requisition or petition signed by householders, for the granting of such license, but application for such license shall be made direct to the Board of Licensing Commissioners not less than 30 days before the sitting of said Board, through the Clerk of the said Board; notice of such application shall be published in some newspaper circulating in the municipality and the said application to be made and posted up in a conspicuous place



upon the outside of the premises sought to be licensed, in such a manner as to be readily perceived by the public, for a space of at least 30 days before the sitting of said Board, and the Board of Licensing Commissioners shall have power to grant such license for the term of one year or to renew the same upon the expiration thereof, if, in the opinion of a majority of the Board the making such grant or renewal is in the public interest.

"In the event of the premises named in such license being destroyed by fire, torn down, removed or closed for the purpose of rebuilding or improvement, it shall be lawful for the Board of Licensing Commissioners to grant to the holder of such license, permission to sell liquor and the authority of the license temporarily, in any other premises in the immediate vicinity thereof during such rebuilding etc.,. But after the rebuilding or improvement of the formerly licensed premises has been completed, provided the owner desires to obtain a license for the same, the license shall be furnished in the name of the owner (if suitable person) or of any suitable person satisfactory to the owner, such suitability to be established to the satisfaction of the License Board; but in case the owner shall not require to continue the license for the originally licensed premises, then the Board may permit the licensee to transfer the license to any premises to be approved of by the Board."

There is a vast difference between that clause and the clause in the Statute. This provided that no petition shall be necessary before granting a hotel license, and it authorizes the granting of such a license for 12 months and allows the Commissioners to renew it. It was undoubtedly a very decided change.

39110. Have you any provision in your law prohibiting sale to minors?—Yes, that is a provision of the law.

39111. Under the statute law of this province, sale may not be made to minors?—No.

39112. Is sale prohibited on Sunday?—Yes.

39113. And are there any prohibited hours?—Yes.

39114. Have you any law preventing the sale of other articles with intoxicating beverages, that is to say separating the sale of groceries from the sale of liquors; or may a man who sells groceries have a license to sell intoxicating liquors?—No; I think he could not, at least without violating the law.

39115. Then it would be contrary to law?—I think so. Of course I shall be glad to give the Commission a copy of the Statute.

39116. Is there any provision in the law for inspection of liquor sold in those places in order to see that it is pure?—There is no provincial law that I am aware of covering that matter. Of course it comes under the Dominion Act.

39117. Have you reason to believe there is illicit sale in this city?—No, I have not.

39118. No statement or report has been given to you that would give you reason to suppose that such illicit sale takes place here?—I was told during the last session of the Legislature that the effect of the Sunday closing Act was that it induced Chinese and others to take liquor outside of the city limits and sell on Sunday. I drew the attention of the Attorney General to the matter, and he tried to prevent it.

39119. Are there any municipal regulations as to the sale of liquor in billiard and pool rooms?—They come under the regulations respecting retail licenses.

39120. Is there a license for a billiard table?—Yes.

39121. Do the proprietors of such rooms have license to sell liquor?—Yes.

39122. In evidence taken before the Commission in Montreal, a very strong argument was made that sale of liquor should not be permitted in places licensed as billiard and pool rooms. Have you any opinion on the subject?—It is a matter on which I have not formed an opinion.

39123. From your observation, if either the hotel bar or the saloon bar had to be dispensed with, which do you think it would be better to abolish?—That opens up a very large question. Any one who wishes to drink will do so, and the hotel bar provides greater facilities for doing so than the saloon.

39124. Have you any opinion on the matter?—I cannot say that I have formed an opinion on the subject. Perhaps you will explain the question to me a little more fully.

39125. It really amounts to this: suppose there was a prohibitory law enacted, doing away with either the hotel bar or the saloon, which would it be preferable in the interests of the community to dispense with?—It is just as I have said; if persons are disposed to obtain liquor they are able to obtain as much as they like in an hotel or in a saloon for that matter. I do not know which it would be preferable to dispense with.

ROBERT BEAVEN.



39126. Are you, in Victoria, troubled with a class of people who are constantly before the police courts and are sentenced to short terms and afterwards appear again, and so keep up the promenade the year round?—I am afraid we have some such persons, but no doubt the Police Magistrate will be able to give all the information you wish on that subject.

39127. If you have considered the matter, will you tell the Commission whether, in your opinion, it would be better, in dealing with such people to continue the present system of bringing them before the courts and sentencing them for short terms, or would it be better to confine such persons for lengthy terms in an institution with a view to their reformation?—If there are any means by which they can be reformed, it would be a kind act to do to them.

39128. It has been suggested that it is desirable to treat them the same way as weak-minded people are treated and to provide asylums specially adapted for their accommodation and treatment?—We have not very many of that class, but there is a small number.

39129. Are light wines and ales much used in British Columbia?—I fancy so.

39130. Taking your community and your people, do you think the use of light wines and ales should be encouraged instead of the use of heavier liquors?—I could not express an opinion on that subject.

39131. Are you able to say whether the tastes of the people run more to drinking liquors or light wines and ales?—No. Those matters have not come generally under my notice.

39132. You have here a state of things which does not exist in any other part of the Dominion, and that is a large Chinese population?—Yes.

39133. Taking them as a class, are they sober people?—They have their own particular liquors, which they import; but I could not say as to whether they are sober or not.

39134. I am asking you as a citizen?—I think their particular weaknesses are opium and gambling.

39135. Then you are not troubled with them so far as the use of intoxicating liquor is concerned?—I do not think you ever see a drunken Chinaman on the streets, but of course the police records will show the facts.

39136. Have you had any experience whatever in the working of a prohibitory law?—None whatever.

39137. Knowing this province and the character of the population, do you think a prohibitory law, a law to prohibit the manufacture, importation and sale of intoxicating liquors for beverage purposes, could be practically carried out, so as to suppress the use of those liquors?—I think it would be a very difficult law to carry out.

39138. In case of the enactment of such a law, do you deem it right that brewers and distillers should be compensated for their loss of plant and machinery?—You have asked a question which a man should consider very carefully before expressing an opinion. I confess that I have not considered the question sufficiently to be able to answer it.

39139. Are there any suggestions you could make in regard to the license law as it exists at the present time?—Do you mean as it exists in the municipality?

39140. I mean amendments that would make it more workable and place it in a better position?—Our Provincial Legislature can amend the law as it wishes.

39141. That is quite true.—I certainly think we would improve that law if that section which I read was obliterated and the old one substituted. The License Board, I may remark, is a body in regard to which you have not made any inquiries.

39142. We should be very glad to hear any suggestions that you could offer?—The License Board consists of the Police Magistrate of the city, the Mayor, *ex officio*, and an alderman appointed by the Municipal Council. I do not know whether there is a different provision in the other provinces or not.

39143. Taking your license law as a whole and as it exists at the present time, do you find it work satisfactorily?—With one exception I think it works well. The law as regard to hotels should be placed as it was formerly.

*By Rev. Dr. McLeod :*

39144. Is the license law as it exists to-day a recent enactment?—Yes, it has only been in force during the last few years. I had a great deal to do with that enactment.

39145. In what respect does the present license law differ from the preceding one?—In this: Formerly a person wishing to get a license could simply go before the Board of License Commissioners, and they would grant a license, if they wished to do so. The wrong in that system was, that if you wanted to obtain a license you simply had to say so, and the Magistrates would grant it, and you paid the fee and obtained the license.

39146. You had charge of the legislation, I believe?—I introduced the Act and carried it through the Legislature.

39147. Can you state what suggested the change?—What suggested it to my mind was the fact that there were licenses granted in residential portions of the city, where the people were very much opposed to them. I thought it only right that the people living there should have some say in the matter.

39148. Was the change proposed with the understanding that the old system worked harmfully?—It worked very well after a time, but like very many other things, as circumstances changed, it became necessary to change the system. It became so to my mind, and the majority of the Legislature agreed with me. Mr. Robson, who was a Member of the House at that time, aided me in bringing about the change, although we were on different sides in the Legislature.

39149. Do you know whether public opinion had changed in this respect, that whereas public opinion was quite satisfied with the old system, it was then thought that restrictions should be placed on the trade?—I think the feeling was that there were enough licenses issued in Victoria, and that they should not be so easily obtained as they were before.

39150. Has the license system limited the number of places for sale of drink in Victoria and throughout the Province?—I think so.

39151. Do the petitions necessary to obtain a license and also other petitions connected with the license law, apply equally to the country places and to the city?—We have a little different system in the country municipalities. It is not so difficult to obtain a license in the country places as it is in the city. Of course Vancouver has a license law of its own; New Westminster also has a different one. Victoria and Nanaimo were under this law: New Westminster was under a different law and Vancouver under still another.

39152. Do you know whether there are any rural districts in which no licenses are granted?—That I could not say.

39153. Do I understand that some of the licenses are permanent, that they do not need renewal, and the holder is simply required to pay the fee?—That is correct. Those were issued under the old system. So long as there are no complaints made against the house or the holder of the license, the holder simply goes up to the Treasurer's office every six months and pays his fee.

39154. Does the license belong to the house or the individual?—The license was granted to the individual for the premises. There was a provision put into the Statute last year to the effect that if the licensed house was torn down or was being repaired the holder of the license could obtain a temporary permission from the Mayor and Licensing Board to carry on the business somewhere in the vicinity, or if a building was put up, it had to be returned to the particular locality: that is if the owner of the building required it. It gave the owner a sort of interest in the business, which he had not before.

39155. As a matter of fact, did the license expire if the person owning it died?—No; the license is dealt with by the executors.

39156. Are there many such licenses?—They form the greater part of the licenses. Only since 1891 has the system been changed.

39157. Has there been any complaints against such licensed premises, which have resulted in the law being carried out?—I think so. I think there was a case about a year ago, the Standard Theatre, and the law was exercised.

ROBERT BEAVEN.

39158. Speaking of sale to minors ; who are minors under British Columbia law ?—I can tell you by sending for a copy of the Statutes, but I really forget the exact age.

39159. Have you noticed whether the licensees generally observe the provisions of the license law?—I do not exactly understand you.

39160. Has it come to your attention whether men holding licenses violate the provisions of the law ; do they sell after certain hours, and on the Sabbath?—The law says they shall not sell on Sunday.

39161. Do they observe that provision of the law ?—So far as my knowledge goes, they observe it.

39162. Have violators of the law been prosecuted ?—Yes. Of course that law has only been in force for a short time ; I do not think over a year. It is said by some that that law gives restaurants and hotels an advantage over those holding saloon licenses.

39163. Have you noticed whether the restriction in the number of places has lessened the amount of drinking in the community ?—I cannot say.

39164. Have you noticed whether the liquor traffic and the liquor habit affect the social life of the community, beneficially or otherwise ?—I am thrown very little in the way of such matters, so that I am hardly able to express an opinion on a subject of that kind.

39165. Have you formed an opinion as to whether a general prohibitory law, that is a law to prevent the manufacture, importation and sale of intoxicating liquors for beverage purposes, could be enforced ; and if so, whether it would be beneficial or injurious ?—I cannot express an opinion on that subject. I have not been east for a great many years, and I am well aware that conditions change very materially in a very few years.

39166. Have you noticed whether public sentiment in regard to the drink habit and the drink trade has changed within your recollection in British Columbia ?—As I have explained, I think there is a tendency to restrict the number of licenses issued. I think, so far as I can gauge public sentiment, there are quite enough licenses issued in Victoria.

39167. What is the population of Victoria ?—About 25,000 ; some say it is 20,000.

39168. And there are 107 licenses issued here ?—Yes.

39169. That would be 1 to 250 people ?—That is taking wholesale and everything. I think there are 47 saloon licenses ; at one time there were 80.

39170. And there are 21 hotels ?—They are hotels. If you wish to drink, you can drink as easily in an hotel as in a saloon. Of course there is a great difference in the way the places are managed.

*By Judge McDonald :*

39171. You have expressed an opinion that the Sunday laws press heavily on the restaurants, hotels and saloons ?—Yes.

39172. In saloons there is more business carried on after prohibited hours ?—Yes.

39173. Are there billiard and pool rooms also ?—Yes, and sale of cigars.

39174. Is no provision made for ordinary meals ?—I fancy there is food provided, if it is necessary.

39175. But not unless a customer wishes it ?—No.

39176. You have spoken of licenses running on under the old system without being renewed, and so becoming, as it were, connected with the individual. In case of destruction of the house by fire or otherwise, and the man not rebuilding, would the license then exist ?—In the Statute the Board of License Commissioners have power to authorize the holder of the license to sell somewhere else.

39177. You were asked whether you thought a prohibitory law could be enforced, and I think you said you had not considered the question ? It would be very difficult to enforce.

39178. Take such a law as existed recently in the North-west Territories, which adjoin this province ; the power of search was given to the authorities in order to search for liquor, and in these Territories there was maintained a large force of Mounted Police for the purpose of carrying out that law. From your knowledge of the people of British Columbia, do you think they would be satisfied to have such a law enacted and applied



to this province, a law that would give the right of search of person and residence, in order to ascertain whether the people had liquor or not?—Does it work satisfactorily in the North-west Territories?

39179. That is one of the questions we have to report on. The Act is not in force there now, for they have a license law there. I ask you the question in this way: You are an old resident here, you know the people and their temperament and their habits: do you believe such a law would be congenial to them?—I would not like to speak in regard to other people's opinions, for it is a matter that has never been mooted here to my knowledge.

39180. You understand that the question refers to what is called national prohibition. It is proposed by the advocates of prohibition to prohibit breweries and distilleries, and so prevent liquor being manufactured in this country, and also imported, except for medicinal, mechanical and sacramental purposes?—You must obtain that information from somebody else.

39181. All you say, then, is that such a law would be very difficult to enforce?—Yes.

WELLINGTON J. DOWLER, of Victoria, Clerk of the Municipal Council, on being duly sworn, deposed as follows:

*By Judge McDonald:*

39182. Are you Clerk of the Police Court?—Yes.

39183. How long have you resided in this province?—About 12 years.

39184. Have you lived all that time in Victoria?—No, I have lived in this city probably four or five years.

39185. How long have you been City Clerk?—About three and a half years.

39186. Did you come here from one of the other provinces?—Yes, from Ontario, from Toronto.

39187. As City Clerk, have you anything to do with the working of the license law?—Nothing that I am aware of further than to act as Clerk of the Licensing Court. I have nothing to do in connection with the working of the system, except receiving payments.

39188. Have you any knowledge respecting the granting of licenses other than that the Mayor possesses?—No.

39189. As Clerk of the Police Court have you anything to do with infringements of the provisions of the law?—Yes. Frequently with respect to selling liquor to Indians. Occasionally that is done by saloons and hotels.

39190. In such cases, is it very difficult to get proof?—Very.

39191. Do you find the witnesses troubled with wretched memories in connection with the facts of cases?—Yes.

39192. Do you find that other people are sent into saloons to get liquor for the Indians?—Yes, mostly Chinamen. They are the people who violate the law.

39193. Are any Chinamen licensed to sell liquor in this city?—No.

39194. Have any cases been brought up for selling liquor on Sunday or to minors, or cases of that kind?—At the beginning of last year there was a law passed closing up saloons on Sunday. There have been some infringements of the law, but they have not been brought before the Police Court.

39195. Have you many cases of drunkenness brought before the court?—Yes, quite a number.

39196. Are any of those individuals brought up again and again?—Yes. We have a number of habitual drunkards, although I do not think there is a large number considering the size of the city.

ROBERT BEAVEN.



39197. Have you considered whether in regard to those people who are constantly being brought before the court, it would not be better to lock them up in inebriate asylums or some other place where they would have a chance of being reformed?—I think it would be a good plan.

39198. Have you had any experience of the working of a prohibitory law?—No, I have not, further than what I saw under the North-west Act.

39199. Have you lived in the Territories?—No, I have no practical knowledge.

39200. Are you in a position to say whether such a prohibitory law could be enforced in this country?—It would be difficult to do so.

39201. Taking this community as a whole, do you find it to be a sober and law-abiding one?—Yes.

39202. You think this community would compare favourably with towns in the eastern provinces where you have lived?—No; in Toronto there is much less drunkenness than here, generally speaking.

39203. Have you a large nautical or seafaring population here?—We have a considerable floating population.

39204. Do any of them appear before the Police Court?—Yes, a few. Of course they are sailors.

39205. Of course there are more at some seasons than at others?—Yes. When the sealing vessels are in, there are a number of men here.

39206. Have you considered whether, in the event of the passage of a general prohibitory law, it would right to compensate brewers and distillers for their loss of plant and machinery?—I have not given the subject such consideration as would enable me to give an opinion on it.

*By Rev. Dr. McLeod:*

39207. You are Clerk of the Police Court?—Yes.

39208. You have charge of the records of the cases that come before the Magistrate?—Yes.

39209. You make the record?—Yes.

39210. Will you give us a copy of the record, showing the number of arrests for drunkenness?—Yes; I have just sent the return to Ottawa, but I have a record that will show the number of arrests for this year.

39211. You have sent away the returns for the year?—Yes.

39212. Do they include the arrests for drunkenness?—Yes, and the offences that are dealt with by the Police Magistrate.

39213. Is there a large proportion of the cases due to drink?—Yes.

39214. What proportion?—I may say fully three-fourths, except such cases as larceny.

39215. Have you many of the class called repeaters in the list of drunkards, men who come before the court once a fortnight or once a month?—There are a number of them.

39216. Speaking of cases other than those for drunkenness, are any of them due, directly or indirectly, to the use of liquor, such, for example, as disorders and larceny?—Possibly.

39217. Vagrancy, &c.?—Quite so.

39218. Will it be possible for you to give us a report of the cases?—Yes; but the Chief of Police will be able to give you information.

39219. Do you know whether drunkenness is increasing, as shown by your record?—I have an idea that it is increasing, but the population is increasing.

39220. Does drunkenness keep pace with the increase in population?—I rather think so.

39221. I think we understood that there were fewer licenses issued now than formerly. Do you know whether that has lessened the amount of drinking?—I could not answer that question.

39222. Do you from your official position, think that the license law is violated by the licensees, in that they sell during certain prohibited hours and on the Sabbath?—I am not prepared from my official knowledge to say anything about that.

39223. Do cases of such violations come before the Police Court?—They did at the beginning of the year more than they have recently done. I do not know whether they are selling or not on Sunday.

39224. Do you know whether there is illicit sale, that is sale by others than by licensees?—From hear say only.

39225. Have such cases come before the court?—They have not; but I understand they occur.

39226. Have you considered the question as to whether prohibition, well enforced, would be beneficial or injurious to the country, in its business affairs and its social life?—I think it would.

39227. Would be beneficial or injurious?—I think it would, all things considered. I am not prepared to say as to the enforcement. I think it would be rather difficult to do that.

39228. You think the enforcement would be somewhat difficult?—I certainly do, from the history of past efforts.

39229. Do you think it would be advantageous to limit the number of licenses in Victoria?—It might.

39230. Of that you are not sure?—No

HENRY WILLIAM SHEPPARD, of Victoria, Superintendent of City Police, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

39231. Were you appointed by the city authorities or by the Provincial Government?—By the city authorities.

39232. How long have you held office?—I have been Superintendent for four years.

39233. How long have you resided in British Columbia?—A little over thirty years.

39234. During the whole of that time has there been license law in force in connection with the sale of intoxicating liquors?—Yes.

39235. Have you had any experience of a prohibitory law in any country?—No.

39236. How large a force have you in the city?—22 men all told.

39237. Are their duties confined to the city of Victoria, or are they for the province as well?—We are confined to the city.

39238. Are the members of the force also appointed by the Council?—Yes.

39239. Speaking generally, what are the duties you have to discharge?—Instruct my men and see that they do their duty.

39240. You look after the enforcement of the city by-laws, I suppose?—Yes.

39241. And of the license law also?—Yes.

39242. And prosecute for illegal selling?—Yes.

39243. Are all these questions brought before the Police Magistrate?—Yes.

39244. Take the license law and the way it is observed: have you reason to believe that the law is fairly well carried out?—Yes.

39245. The last witness spoke of cases being brought before the court in the beginning of the year. Was that when the law came in?—Yes, there were three cases before the court.

39246. Has there been a diminution in the number of cases?—Yes, there have been none since.

39247. Have you reason to believe that there is no unlicensed sale going on?—No, I do not think there is any.

39248. Do you believe the law is fairly well observed?—Fairly well.

WELLINGTON J. DOWLER.

39249. From your experience, are there any changes you can suggest in the law ?  
—The only change I can suggest is that saloons should not have a license unless they provide beds and board.

39250. You think they should be brought under the class of hotels or restaurants ?  
—Yes, I think that would be better.

39251. I suppose in the discharge of your duties, you go about the city pretty generally ?—Yes.

39252. Do you find the people, as a whole, sober and law-abiding people ?—Yes, compared with almost any part of the world. I have been all over the world nearly, and I think this is one of the quietest places I have ever been in.

39253. You have here quite a seafaring population ?—Yes, when the sealing fleet comes in we have quite a few.

39254. Then you have here quite a large Chinese population ?—Yes.

39255. So far as they are concerned, are they sober ?—Yes. I do not think in our whole history we have had more than three Chinamen ever arrested for being drunk.

39256. You have, of course, people brought up frequently for drunkenness ?  
—Yes.

39257. Are they sent to jail ?—Yes, they serve a term.

39258. How long is the term ?—It ranges from ten days to two months.

39259. From your experience with such people, do you think the present system of sending these men to prison for short terms is better than sending them for long periods to inebriate institutions with a view to their reformation ?—I think the latter would be the better way.

39260. They have lost all control of themselves ?—Yes, they appear to have done so.

39261. Taking your knowledge of the people, and living amongst them, and taking those who use intoxicating drinks as beverages, would the number of those who drink to excess be large or small ?—It would not be very large.

39262. Would it only be a small percentage of the whole ?—Yes.

39263. Then of that small percentage, some drink to excess more than others ?  
—Yes.

39264. Have you considered at all the advisability of enacting a general prohibitory law ?—Yes, and I do not think it would be advisable.

39265. If enacted, could it be enforced, taking this country as it is ?—I do not think it is needed.

39266. Do you think it could be enforced if passed ?—Yes.

39267. And the authorities would be able to prevent liquor being brought in ?—No doubt, smuggling would go on. In this island you could smuggle almost anything.

39268. Have you a copy of your annual report with you ?—Yes. (Copy of report filed.)

39269. I observe there were 406 cases of drunkenness last year according to your report ?—Yes.

39270. And 804 cases brought before the court ?—Yes, they were not all arrested.

39271. That was the number of total convictions ?—Yes, that included the by-law cases.

39272. Of the total, 406 were cases of drunkenness ?—Yes.

39273. I observe the cases of Indians number 231 ?—Yes.

39274. And of those 175 were for being drunk ?—Yes.

39275. In the cases of the Indians, did you try to find out where they got the liquor ?—Yes. The Chinese generally got it for them.

39276. Did you succeed in making cases ?—In a few cases.

39277. You had 29 convictions ?—Yes, for supplying them.

39278. Were the persons so convicted licensed ?—No.

39279. They were unlicensed ?—Yes.

39280. Out of 175 cases of Indians, there were 29 convicted the second time ?—Yes.

39281. And 8 prosecutions were dismissed ?—Yes.

39282. Then there were 42 persons convicted for vagrancy ?—Yes.

39283. I see you had 79 Chinese convicted ?—Yes.



39284. I congratulate you, Chief, on the way this report is prepared, for it is one of the best compiled reports I have ever seen. Can you file copies to the Commission?—Yes, I can file reports for seven years.

39285. Have you considered the question, whether in the event of the passing of a general prohibitory law, brewers and distillers should be compensated for their loss of plant and machinery?—Yes, I most certainly think so.

*By Rev. Dr. McLeod:*

39286. Why would you compensate them?—They have been at a very large outlay for their machinery, and the passing of such a law would cut off their business, and it would be practically ruinous to them.

39287. Do you understand that they are only licensed from year to year to carry on business?—They are licensed, I believe, by the Dominion. Of course the city derives nothing from that.

39288. Being licensed from year to year, does not the right to carry on the business close with the end of the year?—Yes.

39289. And yet you think it would be right to compensate them for the loss they sustained by the closing up of their business?—Yes.

39290. Or for the plant they employed?—That would be part of their outlay.

39291. Have you any breweries here?—Yes, there are five, two small and three large ones.

39292. Are they supposed to be making money?—I cannot tell you.

39293. Do they do a large business?—Yes.

39294. And yet you would compensate them. Would you have the Dominion compensate them?—Yes, if the Dominion collects the license fees.

39295. Then you would have the people taxed in the country to pay to compensate these men?—Certainly not.

39296. How then would the Government get money with which to compensate them?—I suppose it would have to come from the people ultimately.

39297. I notice a certain number of cases of drunkenness, not quite one-half, out of the total cases. What proportion of the other offences are connected with drunkenness?—I judge one-third.

39298. What proportion of the people are total abstainers?—I do not know that any of them are.

39299. What proportion of the people brought before the court are total abstainers?—I could not answer that question.

39300. Do you think there has been any change in the customs of the people as regards drinking; do you think drinking has increased or decreased?—It has increased, because the population has increased.

39301. Has it increased in a greater ratio than the population?—I think it has, to some extent.

39302. I think you said there were no illicit places here?—Yes.

39303. I noticed that when you mentioned cases of sale of liquor to Indians, you said there were 29 cases and the persons sold illicitly?—A Chinaman would meet an Indian and go in and get a bottle of liquor for himself, and he would give it to the Indian.

39304. So they supplied the Indians by the bottle?—Yes.

39305. Do you know whether the licensees observe carefully the provisions of the law?—They do.

39306. Are they open all night?—Yes. There is no hour for closing, except on Saturday, when they close at 11 p.m. until Monday.

39307. Do you think they sell on Sunday?—I believe some do. Many of them close. We cannot watch the places all day and there are people in and out all that time, and all night too. The law should compel the dealers to remain closed.

39308. Then you could not say whether drinking was going on or not?—No.

39309. How many men have you on the force?—Twenty-two, all told.

39310. Are they instructed to watch the licensed places, to see that they keep the law?—Certainly.

HENRY WILLIAM SHEPPARD.



39311. And do they make some complaints?—Yes.  
 39312. Do you find it difficult to obtain convictions in such cases?—Yes.  
 39313. What is the trouble?—The trouble is that when the constable goes into these places there is nobody drinking.  
 39314. Unless he goes in in disguise, I suppose?—Yes.  
 39315. Are there very many juvenile cases before the court?—I do not think there are ever any such cases.  
 39316. Is it the habit of your men to arrest men who are drunk?—Yes.  
 39317. For instance, if a man was drunk, but was going home quietly, would they arrest him?—No.  
 39318. But if he was creating a disturbance they would?—Yes.  
 39319. Are the majority of those arrested for drunkenness making a row?—Yes.  
 39320. Are there many houses of ill-fame in Victoria? Do they sell liquor?—Yes, there are quite a few, and they sell liquor.  
 39321. Are they licensed to sell?—No.  
 39322. Are these places raided by the police sometimes?—Yes.  
 39323. Have you any idea as to how many there are?—I could not tell you just now.  
 39324. Could you send a statement to the Commission?—Yes. I think there are about 30.  
 39325. And you think liquor is sold in all of them?—Yes.

FARQUHAR MACCRAE, of Victoria, Police Magistrate, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

39326. Are you a professional man?—Yes, I am a barrister and solicitor.  
 39327. How long have you been Police Magistrate of Victoria?—Six months.  
 39328. How long have you resided in the city?—About 14 months.  
 39329. How long have you been in the province?—The same time.  
 39330. Did you come here from one of the other provinces?—I came here from New Zealand.  
 39331. What system was in force in New Zealand in regard to the use of intoxicating liquors?—A license system.  
 39332. Is it anything like the law we have in this country? Is it on the same basis?—Certain people are licensed to sell under certain restrictions, but the regulations are somewhat different.  
 39333. As Police Magistrate, you try all cases of infringement of the city by-laws here?—I do.  
 39334. And also other cases?—In fact all cases that can be tried summarily are tried by me.  
 39335. And I suppose you take examinations in cases sent to the superior courts?—Yes, and also cases under the Summary Trials Act.  
 39336. Taking the community as a whole, do you find this to be a sober and law-abiding one?—Yes, I should say fully up to the average. Of these matters, however, I cannot speak with authority, as I attend to my work and do not go about much.  
 39337. Have you had any experience in the working of a prohibitory law?—No.  
 39338. Perhaps you have considered the question as to the advisability of prohibition?—No, I have not considered it in such a manner as would warrant me giving an opinion on it that would be worth anything.  
 39339. Have you been long enough in this province to be able to say whether it would be practicable to enforce such a law here?—I am not prepared to say. I do not know whether the Scott Act has been practically enforced in the parts of the Dominion where it has been in force.

39340. You have had no other experience in the Dominion other than in British Columbia, I understand?—None whatever.

39341. Taking the cases that come before you, is a large proportion due to the use of intoxicating beverages?—Yes, a considerable portion.

39342. Have you a good many cases of drunkenness?—Yes.

39343. And taking other cases outside of that class, is there any large proportion that may be said to be connected with the use of intoxicating liquors?—There is.

39344. How large a proportion would there be?—I cannot speak of the offences as a whole, but certainly as regards crimes of violence, the greater part are the result of drink.

39345. You have had cases before you for disposing of liquor to Indians?—Yes, a considerable number during my six months.

39346. And have there been many convictions?—The Indians are generally convicted.

39347. For drunkenness?—Yes.

39348. Are there many convictions of people who furnish them with liquor?—No.

39349. Do you find it difficult to get evidence in those cases?—Yes. I am very anxious to get evidence of the sale of liquor to Indians.

39350. Do you not find the sentiment of the community favourable to the suppression of the sale to Indians?—Yes, that is so.

39351. In cases that are convicted before you, are the offenders persons who are licensed, or are they not?—Some are and some are not.

39352. Are there any amendments you could suggest to the Commission in regard to the license law?—I could hardly speak with authority from my experience as Magistrate, as I have only been such for a short time. I would say this, however, that I have been struck both as Magistrate and as a citizen by the fact that the saloons are open at all hours of the night. That is contrary to my experience elsewhere, and I know New Zealand and Australia pretty well. There is no limit except from 11 Saturday night to 1 Monday morning, when they are supposed to be closed.

39353. You think it would be well to have the hour limited?—I see no reason why Victoria should be an exception in this respect. Of course there may be a good reason for it, but I speak as a comparative stranger.

39354. You have people brought before you who are convicted of drunkenness and sent to jail, and go back to the saloons and then back to jail, and so on?—Yes.

39355. Have you considered the question as to whether that is a proper mode of dealing with those people, or whether it would be better to have them sent to inebriate asylums for long terms with a view to their reformation?—The present limit is six months for drunkenness. I have not sent any for more than three months. I think it would be a good thing to send them to inebriate houses.

39356. Have you, in your experience as a Magistrate, had any difficulty in regard to the sale of liquor in billiard and pool-rooms?—I have had no case before me.

39357. Have you considered the question whether it would not be better to separate the two, and not allow sale of liquor in billiard and pool-rooms?—I have not considered that point. I understand that in all saloons billiards are played, or in nearly all.

39358. In New Zealand, what kind of liquors are mostly used, spirituous liquors or wines and ales?—Ale, under the name of beer. New Zealand brews beer, and it is drunk by most of the people.

39359. Is the climate there anything like the climate here?—In the south of New Zealand, it is not unlike Victoria, but in the north, where I lived most of my life, the climate is warmer.

39360. Are light wines used there at all?—By many, but not generally; well to do people are in the habit of using wine.

39361. Have you breweries and distilleries there?—There are no distilleries there now. There were some 15 years ago, and they were brought under the Colonial Act.

39362. Are the people there law-abiding and sober citizens?—They are as law-abiding as in the old country.

FARQUHAR MACCRAE.

39363. Do you find any difference as regards this city due to it having a floating nautical population coming and going?—It is not unlike other seaport towns. My own town in New Zealand was a seaport.

*By Rev. Dr. McLeod :*

39364. Do I understand that the distilleries in New Zealand were suppressed?—They were.

39365. Why?—It occurred a long time ago, and I hardly remember.

39366. Was it because of the Colonial Act?—Yes, under that Act they were suppressed. I was very busy at the time, and I was not particularly interested in the subject. I think compensation was given to the owners. They were not allowed to work more than three or four years I remember.

39367. Was there a temperance sentiment among the people that brought about the suppression of those distilleries?—I will not say that it was the desire of the people to have them suppressed, but there was a desire to suppress them manifested.

39368. Do you know why there was a desire to suppress them?—I remember there was a general impression among the people that New Zealand whisky was not as wholesome as that produced in the old country. That was the general conclusion.

39369. Was the suppression of the New Zealand distilleries for the purpose of introducing better whisky into the country?—It was believed that the people must have better drink; they thought that Scotch whisky was better than New Zealand whisky.

39370. Do you know whether, after the suppression of those distilleries, there was a diminution in the consumption of distilled liquors?—I cannot say anything in regard to that matter.

39371. Was there a large consumption of beer?—Yes.

39372. Do you know whether there was a larger consumption of beer and a reduced use of distilled liquors, or do you think the consumption in one case kept pace with the other?—No, New Zealand people are not spirit drinking people; I refer especially to people born in the country.

39373. You think they are a beer drinking people?—Yes, and the young people are very much more temperate than the old settlers, and a great many of them are total abstainers.

39374. Do you think there is an increase of total abstainers among the young people of New Zealand?—There has been a marked increase, and you can see it every few years.

39375. To what do you attribute that increase?—To the large influence of the Bands of Hope.

39376. To religious and moral influences?—Yes. There are Bands of Hope all over, and some of the settlers who are given to drink take care to send their children to the Bands of Hope.

39377. How many years' experience had you there as a barrister?—Only one.

39378. In your experience as a barrister in New Zealand, did you come into contact with criminal cases a good deal?—Sometimes, as all lawyers do. My work, however, was not specially with the criminal class, and I avoided that kind of work as much as possible. My duties were more in civil cases, but of course I would sometimes get a criminal case.

39379. From your experience and observation, did you find any proportion of the criminal cases before the Courts in New Zealand attributable to the drink trade and drink habit, directly or indirectly?—I should say that the majority of cases in New Zealand were attributable to the use of liquor, directly or indirectly.

39380. And what did you find in regard to criminals that came before the higher courts?—I think a fair proportion of them were also so attributable, but I could not say what proportion.

39381. Have you observed that as the drink traffic has increased, the drink habit has increased?—My experience in New Zealand was, and I am speaking generally, that the traffic increased as there was a demand for liquor, that is in hotels. Saloons were not known there.

39382. Did you observe this, that as the habit of total abstinence among young people in New Zealand increased, there was an increased desire to restrict the traffic?—Yes.

39383. So the tendency of the legislation is always towards greater restriction?—Yes. The people have a right to refuse licenses.

39384. Do you know whether many of the rural districts have refused to issue licenses?—Yes, a considerable part in my own neighbourhood.

39385. Is there a growing feeling in favour of the total prohibition of the traffic?—I should say there was a rapidly growing feeling in that direction.

*By Judge McDonald :*

39386. Have you considered the question of granting compensation to brewers and distillers for loss of plant and machinery in case of the enactment of a general prohibitory law for the Dominion?—In New Zealand, a number of hotels were closed ; complaint was made as to the way in which they were conducted, and they were closed finally.

39387. You did not consider the question of compensation in regard to distilleries?—I did. The conclusion that I came to was that, as the licenses were issued from year to year, they were not entitled to any. They are nearly all wealthy men and did not need it. I consider that if two or three years' notice was given it would be perfectly fair and right, and that under such circumstances it would be perfectly proper to enact such a law without granting compensation.

39388. In the case of brewers and distillers in Canada, the law requires them to furnish certain machinery in conformity with departmental regulations. Spirits have to be kept two years, for rectification purposes, in bond. The question is whether it would be right and just in that case to give compensation for loss of plant and machinery that would be rendered useless by such legislation?—On the face of it I think compensation should be made. I did not think of that matter before.

*By Rev. Dr. McLeod :*

39389. Do you understand that the law requires anybody to go into the distilling business, or is it entirely voluntary on their own part?—It is entirely voluntary, I should say.

39390. Does the distiller pay regularly for the privilege of being allowed to manufacture?—I think so.

39391. So far as certain plant and machinery being required for the business, he need not go into the business unless he chooses. Does that fact entitle him to compensation? Is he not undertaking the business voluntarily with all the risks involved?—Yes. I do not, however, know all the requirements for distilling in Canada, and I am not prepared to say but that the requirements of the Dominion Government may be such as would make it a kind of wrong to continue the business. I think that if a large sum of money is put out in meeting those requirements, you should be allowed to continue the business for a number of years at least, because I infer from what Judge McDonald has said, that for a certain number of years the business will be unprofitable, if the liquor has to be stored away for purposes of rectification.

39392. What was the amount of the compensation given in New Zealand to distillers?—I do not know. They were not allowed to work more than one year. Only one or two were established, and they were suppressed.

39393. Were they compensated?—I think so ; but as I was very busy, I did not pay attention to the matter. As so little advantage was taken by the distilling companies in New Zealand, the whole history has made but little impression on my mind.



MORRIS HUMBER, of Victoria, builder and contractor, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

39394. You are a member of the City Council, I believe?—Yes.

39395. You are one of the Aldermen of the city?—Yes, and I am also chairman of the Police Committee.

39396. How long have you been an Alderman?—This year and also during the year 1886.

39397. How long have you been chairman of the Police Committee?—This year.

39398. How long have you lived in this province?—Thirty years, next April.

39399. Did you come here from one of the other provinces?—I came here from Ontario.

39400. What part of Ontario?—From Bowmanville.

39401. Has there been a license law in force since you came to Victoria?—Yes.

*By Rev. Dr. McLeod :*

39402. You have stated that you are a contractor?—Yes.

39403. Do you employ a good many men?—Yes.

39404. How many men do you employ?—Sometimes 40 or 50.

39405. What is the character of the work you carry on?—Building, in Victoria. I have built nearly half of it. I am also a brickmaker, and in that business I employ Chinamen and white men.

39406. It is claimed that the drink trade and the drink habit affect labouring men : what is your observation ? How does it affect them, in your opinion?—It affects them if they spend all their money on liquor. You must remember that workingmen in this country cannot afford to drink with liquor at 12½ cents a drink until recently, when 5 cent beer came in.

39407. Is the 5 cent beer manufactured here?—Yes.

39408. Do many of the men in your employ drink more or less?—Almost all of them ; they do not lose whole days, however, for they could not afford to lose \$2.50 a day.

39409. Have you observed whether the workingmen lose any percentage of time on account of their drinking habits?—No. They drink pretty much after their work is done. They work hard.

39410. Are they better men for drinking?—No.

39411. If a man is in the habit of drinking so that he loses one day per week, would you be likely to put another man in his place if you could?—That would depend on whether I was rushed for labouring men or not.

39412. Which do you consider more reliable, men who drink or men who do not drink?—Those who do not drink.

39413. Do you find many such in British Columbia?—British Columbia is a different place from anywhere else.

39414. Or in Victoria?—In Victoria we have a floating population and a mixed population, Americans, Germans, Chinese, English, Canadians, and all sorts, and what we call respectable drinkers.

39415. What is a respectable drinker?—A man who does not get drunk, but takes a drink when he wants it.

39416. Is there a great deal of that?—Yes.

39417. Is there much drinking that results in drunkenness?—No. There is less drunkenness in Victoria than in any other part of the world where there is a city of the same size and a seaport. I do not think you have seen a drunken man since you have been here.

39418. I must say that I do not recollect one. Have you observed whether the drinking of the people has increased or diminished?—There is, of course, a difference here now, compared with the time when there were only 5,000, or 6,000 people.

39419. I mean having reference to the increase in population and making allowance for it?—No. I do not think drinking is increasing very much.

39420. Take the man who drinks regularly every day but does not get drunk very often, though he may sometimes go a little under the weather, off colour, or something of that sort: what have you to say in regard to him?—I am not up in the terms.

39421. Take the man who drinks every day: do you consider that he loses any time on account of drinking?—I have seen men who make better time sometimes.

39422. Is it because they drink?—They will work hard and stop in the tavern and get a glass of beer if they feel they need it, while the temperance man will get a glass of water. I observe that some of my men go into the tavern and get a glass of beer and some bread and cheese. There is of course every inducement held out by the whisky mills to attract men into them.

39423. Is this a good thing for the men in the long run, as regards their working capability?—No, I do not think so.

39424. It is claimed that on account of the drinking habit, men lose time, and that that is so much loss to the contractor. It is also claimed that on account of the drinking habit, they suffer a loss of wage-earning power. Do you think in the long run that the man who drinks beer regularly is better than a total abstainer?—In regard to finances he is benefited, but he might make as much time as a total abstainer or a temperance man. There is, of course, the possibility of the man who drinks regularly getting drunk, and the temperance man or total abstainer has not that drawback.

39425. Have you observed any difference in the condition of the families of men who drink, and in the families of those who do not drink?—Yes.

39426. What is the difference?—In the case of the family of the men who drink, they do not look so well. The man who drinks goes home but does not attend to his garden as well as the temperance man.

39427. So from the workingman's point of view, do you believe that prohibition, well enforced, would be a benefit to him and to his family?—To which man?

39428. To the workingman?—I believe it would be beneficial to workingmen, taking them as a whole.

39429. Would it be beneficial to the contractors?—I guess so. Certainly I would rather have a crew of temperance men than a crew of drinkers, for I could depend on the temperance men, who, like Chinamen, do not drink.

39430. You are an alderman I believe?—Yes.

39431. How many years?—This year and in 1886.

39432. How long have you been chairman of the Police Committee?—This year.

39433. Have you to do with the police officers?—Yes, with seeing that the police do their duty. They take their instructions from me.

39434. Do you give them instructions to watch the liquor stores?—I am just the man who does.

39435. What are your instructions?—That is a very difficult matter to state. At first, when we commenced, we caught very few offenders. They were very careful, but we got in among them—when I say we, I mean the policemen.

39436. What did they find?—They found them there. For instance: I was around town on Saturday night with some aldermen. We went to a restaurant; three of the aldermen were there and I happened to be one of them. It was after 11 o'clock. I was grossly insulted by the proprietor of the saloon who came in. I told him that I did not wish to remain there to be insulted by him. He answered: "Here is a policeman, who will show you out." I said: "I cannot help that." He said: "You can get nothing here to drink." He went up to the bar and told me I could not get anything. I took it all as a joke. But one of the party afterwards had to pay \$50 for the drinks.

39437. Have you reason to believe that there is a great deal of illegal sale going on?—There is a good deal going on just now, and it is a difficult thing to get at the sale of liquor after hours, because the Act says that a man can keep a light in a saloon and have his doors locked. Two nights ago I was around and saw that. If a licensee gets three or four men in to drink, he will lock all the doors and they will go on drinking, and the police cannot get in.

MORRIS HUMBER.

39438. So illicit sale goes on, and you think it cannot be prevented while this state of the law continues?—It can be prevented.

39439. From your official experience and from your observation as a citizen and as an employer of labour and one who has been active in civic affairs during many years, do you think that the license law really regulates the trade, or not?—In the first place, licenses were given to corral the trade and make it respectable, if it was possible to do so.

39440. Does it corral it?—Well, no. I would favour very high license and then we would not have disreputable places.

36441. Which do you think would be the more dangerous, saloons under high license or the present places?—I think high license would be a benefit to every one, for this reason: it would not be every man who would be able to obtain a license. At present when any man gets out of work he takes out a saloon license. You can only get a hotel license by having a building containing so many bed-rooms. It only costs \$200 for a saloon license. If a low saloon did not happen to be on the road between a man's work and his home, he would frequently go home without getting a drink, but when there are four or five saloons between him and his home, he is liable to drop in. If there was a hotel paying \$1,000 or \$2,000 license it would be far better.

39442. It is contended by some persons that when men are able to pay \$1,000 for a license, the only difference is that they have a high-toned place, which is made very attractive to the men and boys, rather than places 7 x 9 feet?—Of course they do not want workingmen in those places. They are, however, much better than low dives and underground beer cellars where men are apt to go and stay almost all night.

39443. Have you observed what class of people visit low dives, the people who are just beginning to drink or people who have pretty nearly graduated?—They have pretty nearly graduated. They are generally old tipplers or longshoremen and sailors and of course some mechanics too, because the labouring class get big wages here and they can afford to drink.

39444. This is also contended, that if there was limited sale the high license places would make their places attractive and cater to the high class, while there would be low places springing up for the poor people in lieu of saloons, where illicit sale would be carried on?—I do not think so.

39445. If only a few licensed places were established, and these not of the class frequented usually by the labouring class, would it not be taking away from them the right to drink; in a word, would that not be class legislation?—When I spoke of high license, I meant men who would spend \$15,000 or \$20,000 to put up high class hotels containing 50 or 60 rooms. I say such a man should obtain a license, while saloons where gambling and something worse is going on should not obtain licenses.

39446. Are saloons licensed to carry on gambling?—No.

39447. Then that is illegal?—I believe it would be infinitely better if there were only four or five high toned hotels in Victoria.

39448. Do you mean that the fewer places there are for selling liquor the better?—Yes, I do.

39449. If you could reduce the number to none, would that be better still?—Yes, we all know that.

*By Judge McDonald:*

39450. How many men do you employ?—In the summer I employ in the brick yards about 30, but of course it all depends on the work on hand; and in town I employ about 15 or 20 white men.

39451. Do you ask your men if they are total abstainers or not?—No, I can tell that pretty well.

39452. Do you make it a condition of their employment that they shall be total abstainers?—No.

39453. Have you men steadily in your employ who drink in moderation?—Yes, some of my best mechanics and brick-layers are hard drinkers.

39454. Have you other men who drink and yet are not hard drinkers?—I have men who drink and never get drunk, and that is called respectable drinking.

39455. I find that in 1891, the revenue from licensed places in Victoria was \$18,000?—Yes.

39456. Was that sum used for the general purposes of the city?—Yes.

39457. That revenue represented 113 licensed places, giving a total revenue of \$18,000?—Yes.

39458. Do I understand you would prefer that the number should be kept down, and that the licenses should be high enough to furnish the same revenue?—I believe that if the number of licenses were reduced, we should not need such a large force of police as we have now. At the present time we have 22 policemen. They have of course to keep the criminals down.

39459. You think if there were fewer licenses granted, there would be less drinking, but your idea is to have higher license fees so as not to reduce the income?—I do not know about that. You would have to charge four bits a drink to make it pay, and the whole box and dice might be cut down.

39460. Take this community as a whole, is it a law-abiding and sober one?—Yes.

39461. Do you think it will compare favourably with other places you have known?—I think it will compare favourably with even Toronto, of which you hear so much, especially as regards Sunday observance. I believe we surpass the people there.

39462. Is this not a city in which a great deal of liquor is consumed? Take the city as you know it. You have 113 places here, which paid in 1891 an income of \$18,000, and that does not take into account the quantity sent to private houses?—I have no doubt of it.

39463. Have you a good many old country people here?—Yes.

39464. People who are accustomed in their own country to take liquor in moderation?—I believe Germans never drink water.

39465. Those people keep up their natural habits here?—Yes.

39466. Yet you say that this community is a sober and law-abiding one?—Yes, and I speak what I know. All the liquor shipped here is not consumed in Victoria, there is much Canadian whisky brought in here that is not drunk here.

39467. Where does it go?—Over to the other side. I do not want to tell you where it goes. There is only Inland Revenue duty to be paid on it, and Canadian whisky is a cheap drink, they say.

39468. You have a great many breweries here, we understand?—Yes, two new ones have been established here recently.

39469. How many had you here before?—There were two or three before; they did all the business, but the business has increased.

39470. How many are there now?—There are four or five. In 1891, there were said to be six or seven, but at all events two of them were bought up by still larger establishments.

39471. Do they manufacture for home consumption?—Yes.

39472. Have you considered the question of granting remuneration to brewers and distillers in the event of the enactment of a general prohibitory law?—I have thought about it considerably and read about it.

39473. What is your view in regard to it?—As a temperance man, I do not think they should lose all their capital invested, but time should be allowed them to get their money back.

39474. Then you would have some mode of compensation fixed?—I think so, but I do not know. A great many go into the business with the knowledge that they will be closed down if a prohibitory law is passed.

39475. You understand that they are required to have certain plant and machinery in connection with their business, and that the Government requires distillers to keep their stock for two years for the purposes of rectification?—I do not think it would be right, for instance, to shut down any of these new breweries; it would be thieving.

39476. It has been argued that distillers and brewers have licenses only from year to year. Do you find that they really continue in the trade from year to year?—I find a great many remain in the business.

39477. Are there any amendments you could suggest to the Commissioners in regard to the license law?—No, only what I stated in regard to high licensing.

MORRIS HUMBER.



ROBERT H. HALL, M.P.P., of Victoria, on being duly sworn, deposed as follows:—

*By Judge McDonald :*

39478. What is your business or occupation?—I am Manager of the Hudson Bay Company's business here.

39479. Is the business a mercantile one?—Yes.

39480. Is it a general store?—Yes.

39481. Is the liquor business in connection with it?—We are importers wholly.

39482. What is the character of the license you hold?—A wholesale license.

39483. Do you sell in the original packages?—Yes.

39484. You do not sell by the glass?—No.

39485. How long have you been residing here?—Not quite two years.

39486. Where did you reside before that?—In different places in the province. have been in the same employment for 20 years.

39487. How long have you been in British Columbia?—20 years.

39488. Did you come from one of the other provinces to British Columbia?—I came from Ontario here.

39489. Which part of Ontario?—I lived in several places; I lived in the County of Victoria.

39490. Can you tell the Commissioners in what places you have resided in British Columbia besides Victoria?—I have resided at Fort Simpson in the north and on the boundary of Alaska, and I have resided at numerous places in the interior.

39491. Please state a few of them?—Fort St. Thomas, Fort St. George.

39492. Are they towns or villages?—You could hardly call them so; they are stations of the company.

39493. Have you resided in any of the towns outside of Victoria?—Not permanently. I have been in Vancouver more or less.

39494. Is this the place from which the company sends out goods throughout British Columbia?—Yes.

39495. Speaking as a citizen, how do you find the license law work here?—So far as the operation of the license law is concerned I can tell you very little about it, as I have not watched its operation.

39496. During the length of time you have been here, have you found this to be a sober and law-abiding community?—I should think remarkably so.

39497. You have spoken of having resided at Fort Simpson in the north. What is the population there?—The population is not very large. There is a considerable floating population, and fishermen and native Indians.

39498. Is a license law in force there?—No.

39499. Do the Hudson Bay Company control Fort Simpson?—No, they have no control there.

39500. Are there Magistrates there?—Yes.

39501. You spoke about living on the boundary of Alaska. Do you know anything in regard to the system in force there?—Prohibition has been attempted and is the law of that country; the sale of liquor is prohibited entirely.

39502. By the Alaska Legislature or by the United States Government?—By the United States Government, and the law is attempted to be carried out by men from Washington.

39503. Then it has no Legislature of its own?—No.

39504. How does the prohibitory law work there?—It is a complete failure.

39505. Is liquor obtainable?—In any quantity.

39506. Is it smuggled in?—It must be, for you cannot order it in the usual way; it cannot be brought in lawfully. I was up in the principal town of Alaska, Juneau. When I visited it there were thirty-three saloons in that little town.

39507. What is the population of the town?—Probably 1,200.

39508. Can you speak as to the kind of liquor sold there, whether it was alcohol or ale?—Both were to be had in abundance.

39509. Do you know anything as to the quality, whether they were adulterated or not?—The most of it was the vilest stuff that could be got anywhere. There is a very great deal of it manufactured from crude spirits, and it was doctored so as to make it look like whisky or anything else.

39510. Can you tell the Commissioners as to the prices of liquors there?—The price is very hard, but it does not seem to make any difference in the consumption.

39511. What is the price?—The price is 25 cents a drink.

39512. Do you know any other place in Alaska except Juneau?—Sitka.

39513. How is the business there?—It is just the same.

39514. Are there many saloons in Sitka?—Yes.

39515. Does the Government not put this trade down?—They are not able to do so. I do not think the Government officials could put it down unless they had a very large army in the territory. The majority would defy any interpretation of the law that would bring about prohibition.

39516. Was liquor to be obtained at many places?—I am pretty sure there were no places where it could not be obtained. I have seen both Indians and white men drinking there.

39517. How did it compare with other places in which you have lived?—It was harder to obtain liquor in them, because it was a distance away.

39518. Do you know whether resort was had to other compounds in lieu of liquor in those places?—The Indians manufacture liquor out of rice and molasses.

39519. They have stills of their own?—Yes.

39520. Judging from your experience in those matters, do you think a prohibitory law could be enforced in this province?—I do not think so, I know it could not be.

39521. Have you lived in any other prohibitory country than Alaska?—No.

39522. In the event of a general prohibitory law being enacted, do you think it right that brewers and distillers should be compensated for the loss of their plant and machinery rendered useless?—I should think they could claim it legally.

39523. Taking your business here, do you find the taste of the people run to light wines and ales or to spirituous liquors?—I think it is very generally divided. The consumption of ales is considerable. The wines, especially California wines, are very popular, and the demand is increasing.

39524. We have been informed to-day that two new breweries have been started?—Yes.

39525. Is there a large output at present from the breweries?—I think there will be.

39526. Is there much ale imported from England?—A good deal, considering the price.

39527. You have a good many English people residing here, I suppose?—Yes, a good many.

39528. Is lager beer sold here?—Yes.

39529. Is there much demand for it?—Yes. It seems to be taking the place of heavier liquors.

39530. In what size packages is lager imported?—I do not know much about the liquor that comes here to be bottled.

39531. I thought your company imported it?—Yes, it is all bottled.

39532. Is it brought from the United States?—Yes, from Milwaukee and St. Louis.

*By Rev. Dr. McLeod:*

39533. Speaking about Port Simpson, is there no law against the sale of liquor there?—Yes.

39534. Is the sale of liquor legal?—I do not think so, for there were no licenses granted.

39535. You have said that there was a good deal of liquor sold there?—I did not say that. I do not know what was sold. I said I have seen both Indians and white men drinking.

39536. Did the Hudson Bay Company sell?—No. At one time they did, and I was myself in charge. I found the license gave me a good deal of trouble and I asked our company not to renew it.

ROBERT H. HALL.

39537. In what way did the license give a deal of trouble?—I was the only vendor of spirits authorized, and if liquor was smuggled in and the people got drunk, it was laid at my door and I was made to appear to be the cause of it. But strange to say after I dropped the license, there was a still worse condition of affairs than there had been before.

39538. Do you think there was more drinking after you had ceased to sell than there was before?—Yes. Of course we only sold wholesale.

39539. In regard to Alaska, you have said that there was a prohibitory law in force there, and although its enforcement was attempted, it was a great failure. Who was set to enforce the law, did officials attempt to enforce it?—Yes, a large staff of officials.

39540. What was the difficulty in the way of its enforcement?—I think the difficulty was this: I do not suppose that the officials themselves or the people believed in the law that they were appointed to enforce.

39541. What class of people are they generally?—Fishermen and miners; they are the principal population; and then there are the missionaries. I think they form a large percentage.

39542. Do you think the officials were really careful to carry out the law, did they make an attempt to do so?—Yes, and they were constantly making seizures.

39543. Were 35 saloons open and doing a good business?—Yes.

39544. Do you know, of your own knowledge, that they were selling regularly?—I certainly do.

39545. Did the business as carried on by 35 saloons have a bad effect on the people? You ask me a question that a casual visitor could hardly answer. I could not give you an answer to that question.

39546. You will not say whether it would have been better to have had the 35 saloons closed?—No, I could not answer that question.

39547. Have you observed generally what the effect of saloons has been in a community where they exist, whether the effect is good or bad?—I do not know much about saloons.

39548. From your observation of a community like this, what would you say was the effect on the community of having 70 or 80 retail drinking places, would it be good or bad?—I suppose it is bad for those who make a bad use of them.

39549. What do you regard as a bad use?—Those who go there too often and drink too much.

39550. Is there a standard by which the matter can be closely defined, as to what is too much and what too often?—Every man has to decide for himself.

39551. Then you think a man should be a law to himself?—Yes.

39552. Would it be well to limit the number of licensed places more than the number is limited at the present time?—The retail sale of liquor is a matter to which I have not given any attention.

39553. Do you think it is well to restrict them as to hours and everything of that kind?—I am strongly of the opinion that it is not wise to enact a law that it is hard or difficult to enforce. I think it weakens the cause of justice very much to have a law enacted which it is impossible to enforce.

39554. So you would not have the liquor traffic practically restricted because it would be difficult to enforce the restrictions?—I do not give a positive opinion on that point, but I simply state what I know.

39555. You say you have not observed the retail trade particularly?—No.

39556. Your company are importers?—Yes.

39557. Have you thought of this point, whether the importing trade has any relation to the retail trade?—It is the relation of seller to purchaser, I suppose.

39558. You have expressed the opinion that prohibition could not be enforced here: why not?—Because I do not think the majority, or even a considerable minority, would be in favour of it.

39559. Supposing a majority worked in favour of prohibition, could it then be fairly well enforced?—No, not if a minority of considerable proportion was opposed to it.

39560. Could it be enforced if there was a majority of three to one in favour of it?—No; I do not think so. I think if the minority amounted to one-fourth it could not be enforced.

39561. Is your objection to prohibition an objection to the principle, or because you think it impracticable?—I think it would be better to get at the facts.

39562. Then you will not express an opinion?—I do not care to say much about it.

39563. This may be a question of fact. Is the trade of the company, as managed by yourself in Victoria, increasing or not; I refer to the liquor trade?—I do not think it is increasing in the same ratio as the population.

39564. Do you think that the liquor habits of the people are decreasing?—Yes.

39565. To what do you attribute that decrease?—I think very probably to the average earnings of the people being not so large as they were years ago, and also to the fact that the people are rising higher socially, and there is less excessive drinking going on.

39566. You think that as the people rise higher socially, they drink less?—I think the average drinking is less.

39567. If there is a steady diminution in the drinking consumption by the people, is that an indication that they are improving socially?—I do not know how far that argument would work, but I certainly think that if the people are spending a large proportion of their earnings on liquor there must be excess.

39568. Have you noticed as a business man that the liquor traffic has an effect either injuriously or beneficially upon other branches of business?—I have never noticed that it was injurious to other branches.

39569. Have you noticed that it was beneficial?—No, but I have noticed that any prosperity throughout the country made the liquor trade better.

39570. Have you noticed any case in which the liquor trade was opposed to the prosperity of other branches of business?—No.

39571. Have you noticed that business men have gone to pieces because of the liquor trade and habit?—It goes without saying that men in all branches of life who drink to excess go to pieces.

39572. Have you noticed whether there is a tendency on the part of those who drink moderately to drink to excess in any percentage of cases?—I have not studied that subject.

*By Judge McDonald:*

39573. Take the people who use intoxicating liquors as beverages: is the percentage of such persons who drink to excess large or small?—I should think it was small, certainly of those who come under my own personal observation.

39574. You have spoken in regard to Alaska. Do you know the modes by which smuggling was carried on there?—A great deal of liquor is smuggled by steamers. The price is very high and those who carry on the trade successfully make large profits some times and large fortunes.

39575. How is it carried on?—The liquor goes on sloops, schooners and small boats, also on the steamers, in spite of the precautions of the officers.

39576. Is the liquor smuggled in in its original packages?—I do not think so: it is generally concealed. There are a number of ways in which liquor can be brought in, and to which my attention has been called. It is taken in by some barrels owned probably by some deck-hand and near some town or village he has a customer for the liquor. He keeps watch until dark and then throws the barrels overboard taking care to leave sufficient vacuum in the cask to ensure its floating. Of course, there is a man ready to take it off. There are all sorts of devices resorted to. I have known of liquor going from here all the way up to Juneau on an open sloop.

39577. What is the distance?—I suppose 1,000 miles.

39578. The water communication is the only way of communicating with that territory, I suppose?—It is the only one.

39579. There is nothing on the other side?—No.

ROBERT H. HALL.



ROBERT H. HALL recalled.

39580. I desire to add to my statement that two or three years ago the Governor of Alaska (I am not sure of the exact date) felt that it was so difficult to deal with the liquor traffic, that he undertook to assume the responsibility of granting temporary licenses to vendors of liquor, while he proposed to make such representation to Congress as would make the license system permanent. The liquor dealers in Alaska held a meeting to discuss the matter, and the result of their deliberations was, that they decided that so far as they were concerned, they would not accept temporary licenses or any other licenses, on the ground that the liquor trade was more profitable under prohibition than it would be to them under license.

*By Rev. Dr. McLeod :*

39581. What is your belief about it?—I believe that the contention of the liquor men was quite correct.

39582. You are the manager of the wholesale business, and you believe the liquor business is more profitable without licenses of any kind than with it?—I do not know how it would work with us, but it is certainly more profitable without license than with it.

39583. Do you conclude in view of the statement you have made, that the men in the liquor business in Alaska are disreputable men?—I should think they were not so loyal as they should be.

39584. What do you mean by that?—Loyal subjects ought to be able to work under the laws of the country in which they are living.

39585. Do you know of any other trade that would resort to the same thing?—I have never heard of anything similar.

39586. Do you regard that sort of thing as the outcome of the liquor trade?—I have never been in a prohibitory country except Alaska, so I cannot speak in regard to that matter.

39587. Are we to understand that the men in Alaska violating the law were an exceedingly lawless class of men?—They were certainly lawless so far as the liquor traffic was concerned.

39588. They preferred to be lawless men rather than submit to the law?—The prohibition in Alaska is favourable to lawlessness; that is to say, that lawless men will find more encouragement under prohibition than under license.

39589. Is prohibition favourable to lawlessness or is drunkenness a part of lawlessness?—Prohibition to my mind is the product of lawlessness.

39590. Why?—It certainly affords them an opportunity to be lawless.

39591. Is that prohibition enforced or prohibition disregarded?—It is prohibition which officials are not able to enforce.

39592. Why unable to enforce? Is it because of the lawless character of the men engaged in the trade?—It is because they have not got the support of the people.

39593. Of what people?—Of the great majority of the population.

39594. In Alaska?—Yes.

39595. The population of Alaska is made up generally of that class of people; are they such people as live in Victoria for the most part?—People in the different grades of life are to a certain extent similar. There are of course lawyers, doctors, store-keepers, and merchants. I do not know that the proportion of labourers is smaller or the percentage of the higher classes larger than here.

39596. Is the condition of the population in Alaska similar to the condition of the population in older and longer organized communities, or is it the same as here?—In other respects the people of Alaska are very law-abiding.

39597. Except with regard to the drink traffic?—Yes. My experience has led me to believe that if prohibition was attempted anywhere else it would be attended with similar results.

*By Judge McDonald :*

39598. Take another state of things. You have a great many men who go from here to Alaska and beyond, looking for seals?—Yes.

39599. If those people had to make choice between sealing for their own pleasure or coming under a system of catching seals during certain hours of the days and on certain terms and had to pay a license fee, which system do you think they would prefer?—I think they would prefer to seal as they pleased.

39600. Of course, sealers are not in that position. I simply put it as a supposititious case. Do you know of any other business that is in the same position with regard to regulations?—There is none.

39601. Are you able to find any parallel cases so as to be able to draw a comparison between the action of the people in Alaska and other people?—There is no other trade similar, although trades get along very satisfactory and so does the liquor trade if the people are satisfied with it as it is.

39602. The United States revenue is hardly satisfied?—That proves to be the case.

*By Rev. Dr. McLeod :*

39603. Can you tell us, from your own observation and experience, why the liquor trade has regulations and restrictions to which no other trade is asked to submit?—I suppose the law givers of the country think they are doing what is best for the weal of the country, in restricting the trade and licensing it.

39604. Is it because the liquor trade is productive of results which are bad?—I do not know whether it is so or not, but we must admit that in some instances the use of it is bad. I should not say that the trade is so.

39605. Is the trade responsible in any degree for those results?—That is a question that had better be answered by some one on the Licensing Board or who has had to do with the issuing of licenses.

39606. I thought that you being in the trade might have observed that.—I am merely in the trade as a wholesaler, and I do not come directly into contact with the retailer.

39607. You sell to the retailer?—The wholesaler naturally sells to the retailer.

39608. And his relations are with the retail trade, and with them only?—In that way only.

SIR MATTHEW BAILLIE BEGBIE, of Victoria, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

39609. I believe you are Chief Justice of the Supreme Court of British Columbia?—Yes.

39610. How long have you held that position?—For 20 years. Since the time of Confederation, I have been Chief Justice. Before that time I was only a Judge. There was no Chief Justice, and no puisne Judges.

39611. Did you come originally to this country from England?—I came to this province when it was a Crown colony, as regards the mainland. The Island was a separate Crown colony up to about 1856.

39612. Then you came here before the union of the two sections?—Yes. I went to the mainland. Mr. Cameron was Chief Justice here, and I was a Judge on the mainland.

39613. I suppose this province has always been under a license system, so far as the sale of liquor is concerned, since you came here?—Yes, I think so.

39614. Have you had any experience in a country where there was a prohibitory law in force?—Yes.

39615. Where?—In the North-west Territories not long ago.

39616. How long were you there?—Two days, and I never was so pestered in my life.

ROBERT H. HALL.

39617. Why?—Because I hate raw spirits myself, and everybody was pestering me to take what they called whisky. They seemed to think it was the duty of a man to drink all the whisky he could, and everybody had it.

39618. Did you take any of it?—I tried once or twice to take it, but it was abominable stuff. My friends treated me with the utmost kindness and were most hospitable. Their intentions were of the kindest. I was like Gulliver when in Brobdingnag where the people were so exceedingly hospitable that they pitch-forked tid-bits from their own mouths into the mouth of poor Gulliver.

39619. In what section of the North-west Territories were you?—I went on to Calgary and on the way I stopped at Donald. It was in 1885. At that time I considered Donald to be part of the North-west Territories and subject to the Dominion prohibitory law. The prohibition of the sale of liquor extended all over the railway belt, which projected far into British Columbia, at that time even to Seymour Narrows. I believe the sale of liquor was prohibited from that point to Revelstoke and Donald, all the way for a distance of 20 miles on each side.

39620. Can you speak in regard to the sale of liquor at Donald and Revelstoke?—Yes.

39621. Was there sale of liquor there?—No doubt. I was on circuit, and I was treated to all the liquor I wanted, gratis.

39622. Did you see any ales or light wines in that Territory?—I took some claret myself.

39623. Did you take that with you?—Yes, for my own use.

39624. Did you see any one else have it there?—No.

39625. I will read you a paragraph from a book recently published. It is written by Warburton Pike on "The Barren Grounds of Northern Canada." He refers to the territory away north of Calgary, and says :

At the present time the prohibition Act orders that even the white man of the North-west Territories must be temperate, thereby causing whisky to be poor and bad, but plentiful withal. It is surprising how such a law exists in a country where the white men not only want drink but do drink in open defiance of the commands of a paternal Government.

During the two days you were there, do you think that would describe the state of things?—Yes.

39626. Take a country such as the North-west Territories and a country under similar conditions as to rivers, &c. In one country there is a license law and in the other prohibition : to which of those two countries would emigrants come, seeking homes?—They would rather come to a country where they could live as they were accustomed to live. But it must be remembered that there is one class of people who should be restricted from drinking, and that is the Indians. If the emigrants and people generally coming to this country knew that the Indians were to have unlimited access to liquor, they would, of course, think it very dangerous to settle here.

39627. But the Indians are prohibited from obtaining liquor, I believe?—Yes, here ; but up in Alaska they get a good deal ; they manufacture it. When I went there I took a small stock of wine with me, and ran short, and of course I could not get any there, I supposed. It was at Fort Wrangell, and the people said that I could get as much liquor as I wanted at \$5 a bottle, good brandy marked "Martel." I asked where I could get it, and they said that the Indians would sell me as much as I wanted. The Indians had plenty of liquor, and it was from them I got it.

39628. Were they acting as agents for the white men?—I could not say.

39629. You got the liquor, at all events?—Yes.

39630. What quality was it?—It was as good as you could get in Victoria. That was in Alaska, where there is prohibition.

39631. In the North-west Territories there was what was intended to be a total prohibitory law, although there was a permit system, under which the Lieutenant-Governor could grant permits. With that law there existed a large force of Mounted Police to enforce it, and they exercised the right of domiciliary and personal search. From your knowledge of British Columbia, do you believe the people would be favourable to such an enactment as that?—I think not. It would lead to more evils than the consumption of liquor.

39632. From your knowledge of the country, what would be the effect on travel when it was learned by the tourists that on arriving they and their baggage would be subjected to a thorough search?—Of course they would not like it at all.

39633. We have it in evidence that people in the Pullman cars were searched for liquor. Had you any experience of that kind when you went there?—No; I went through in 1885, and at that time the railway was hardly running; it only ran as far as Donald, with a through train once a week to Calgary. I went there on a construction train, and of course the officers did not search us.

39634. As a jurist, what, in your opinion, is the effect on the public conscience of having a law on the statute-book that is constantly and flagrantly and persistently violated?—I think it has a very bad effect.

39635. Do you know anything of the working of the license law in British Columbia?—I do not know very much about it.

39636. Take the community as you know it: do you find it law-abiding and sober as compared with other communities?—Yes, it is very law-abiding. I have had only one experience of a prohibitory law, in the North-west Territories; but, in the course of my life, I have been in countries where although they did not have a prohibitory law, there was total abstinence on religious grounds. In Turkey, especially in Constantinople, you can not get a drink, although it is a city of 700,000, and in Stamboul, on the west side of the Golden Horn, you cannot get a stronger drink than sherbet. But it is a most dangerous population at night and a very criminal one.

39637. Supposing a prohibitory law were passed, a law prohibiting the manufacture, importation and sale of alcoholic liquors for beverage purposes, would you deem it right that brewers and distillers should be compensated for loss of plant and machinery which they use in their business?—That is a question of conscience.

39638. Perhaps you have not considered it?—I have often considered the point. I do not know exactly how to make up my mind, because it is a matter of conscience.

39639. What is urged is this, that by departmental regulations brewers and distillers have been compelled to put in certain machinery, and have been from time to time compelled to change their machinery, and moreover that distillers are required to keep their liquor in stock for two years for rectification purposes; and under those circumstances it is urged that, in the event of the enactment of a general prohibitory law, brewers and distillers should be compensated?—I should think in justice that compensation should be given them because they have been encouraged to put their money in the business.

39640. Have you considered in connection with this matter, whether it would be well to encourage the consumption of light wines and ales, with a view to gradually abolishing the use of spirits?—The people here have a natural taste for whisky, and, at all events, for stronger drinks than beer and wine. I prefer beer and wine. I do not believe I take three glasses of spirits in a year.

39641. Taking your experience as a Judge, has any large proportion of the cases coming before you for trial been directly or indirectly traceable to drink as a beverage?

I think very few cases have been directly attributable to drink, but I suppose liquor has often been the cause of crime.

39642. So, indirectly, offences have been committed?—That is my opinion.

39643. Taking the people of British Columbia as you know them and the cities as you know them, can you say what is the proportion of those using intoxicating liquors, who use them to excess. Is the proportion large or small, on the whole?—I am afraid that a great many people use more than is needed for them, but I do not believe they take it to excess. I think if there is one drunken man, there is one too many in any place. I hate a drunken man.

39644. Taking 100 or 200 men who use ale, wine or whisky for beverage purposes, would the proportion of those who use them to excess be large or small?—I think small.

39645. Have you found since you came to the country, that there has been a change in the social customs of the people in regard to drinking, and that the habit of drinking is diminishing as a social custom?—I think it has diminished.

SIR MATTHEW BAILLIE BEGGIE.



*By Rev. Dr. McLeod :*

39646. To what do you attribute the diminution?—The people are not so well off. I mean the greater part of the drunkenness I have seen has been amongst miners. The mines are not nearly as lucrative now as they were formerly. The ordinary wages of miners in the early days were from \$8 to \$16 and even \$20 a day. When an uneducated man receives that money he does not know what to do with it except to get drunk.

39647. Have you noticed that educated men ever do so?—I know some of my personal friends who drink to excess.

39648. Is the percentage of uneducated men who drink to excess larger than the percentage of those educated?—Yes, very much larger.

39649. I am speaking of the proportion of people educated and uneducated?—Of course it depends on what you call educated.

39650. There is the phrase "excess" which we constantly hear; it seems to be a rather variable term?—So it is.

39651. Will you state what is your definition of excess in drinking?—When an Irishman was asked that question, he said that he did not consider any man was drunk to excess until he was lying on his back; if he was sitting on the pavement and able to call a cab he could not be said to be drunk. But my opinion is that if a man is not walking steadily he has taken too much. However, what is excess to one man is not to another. I know the manager of a bank, I will not give his name, who was a very sharp man in business, and he was able to sit all night drinking brandy or whisky. He would perhaps, drink two or three bottles of whisky and tie a wet towel around his head, and in the early morning he would go to business. That is what very few men can do. He drank to excess, although he could stand it; but it told on him in the end. After a few years he went to the dogs.

39652. So there is excessive drinking which does not show itself on a man in the streets?—Yes.

39653. Do you think there are a large number of people who drink to excess, although it may not be apparent to the public at the time?—No, I do not think there is. I do not think there are many men who injure their constitutions by drinking. There are some poor fellows no doubt.

39654. You have spoken in regard to your experience in the North-west Territories. Did you see many people during the two days you were there?—Yes.

39655. Your own friends?—Not only my own friends, there was a whole regiment there. It was the year of the rebellion and there was a regiment stationed at Calgary. Besides, I was holding assize and there were lots of people from Revelstoke and Donald and other places. As I was a Judge, I was handed liquor gratis.

39656. You have said that everybody had whisky. I wondered whether they were your own personal friends who induced you to take some of it?—I also met the captain of the Mounted Police and some other officers, and very good fellows they were.

39657. They had some liquor too?—Lots of it.

39658. The Mounted Police were supposed to be charged with the duty of preventing liquor being brought in. How did it happen that the officers had so much liquor?—I do not know how they got it.

39659. Did it strike you as peculiar that those men who were especially charged with the duty of enforcing the law should be themselves violating the law?—You constantly find that to be the case.

39660. Is that a good state of things?—No, but it shows the corroding influence of such a law.

39661. Or the corroding influence of the whisky?—It is perhaps the corroding influence of the two, but mainly the corroding influence of the law.

39662. If whisky were permitted to come in freely, would it have less corroding influence?—Certainly, for the people would not then break the law.

39663. Would they be likely to drink if liquor was permitted to come in by law?—They would drink whether the law permitted them or not; they would obtain liquor in any case.

39664. Did you observe whether the liquor which was there at that time, was there by permit or by prohibition?—It was there subject to prohibition, although its presence was always pretended to be kept dark. A friend of mine, and he was in my own walk of life, said to me, “Come here.” He took me behind a door, and produced a bottle of whisky.

39665. Do you know whether he obtained that liquor by the permit of the Lieutenant Governor, or did he smuggle it in?—I did not inquire.

39666. You said something about going there and the people handing you liquor gratis. Why was that?—The Judges have a very bad reputation in this part of the world.

39667. For what?—For being free livers.

39668. What struck me as strange is that you said that as you were a Judge, they handed you liquor gratis. I wondered what was behind all that in your mind?—They wished to treat me with all the courtesy possible, I have no doubt.

39669. So they gave you illicit liquor?—Yes, they gave it as a mark of courtesy and hospitality. In fact they knew I could not buy it here, so it was given to me gratis.

39670. Is that a correct way of doing it? You were the head of the judiciary, and the people with whom you came in contact, in order to show hospitality to you, treated you with an abundance of illicit whisky in violation of the law?—Recollect when I was at Calgary I was there as a private gentleman, for it was far beyond my jurisdiction.

39671. You have heard the quotation read from the book of a gentleman who travelled in the northern country, in which he said prohibition causes whisky to be plentiful. Do you think prohibition causes whisky to be plentiful?—I would not put it as strongly as that. I do not think that prohibition very much diminishes the quantity, but increases it.

*By Judge McDonald :*

39672. The writer did not say that prohibition made it plentiful. He said “Thereby causing liquor to be bad, but plentiful withal.” Have you read the book?—The writer is well known in British Columbia.

*By Rev. Dr. McLeod :*

39673. In Victoria and throughout the island, I presume, liquor is freely obtained under license?—Yes, quite so.

39674. Speaking about emigrants coming to this country and the question whether if they knew prohibition was in force here, they would be as likely to settle as if there was no prohibition, you have said that the conclusion you came to was, that they would settle in any country where the habits and customs were most like those at home?—Yes.

39675. Can you conceive of any people who might prefer to go into a region where there was prohibition?—Yes. I can conceive of a number of prohibitionists getting together.

39676. Can you conceive of others than prohibitionists settling in a country where there was prohibition?—I myself, going into a strange town, instead of going into a saloon and passing the night there, go to a temperance hotel, because I like a quiet night.

39677. Then you think the temperance hotel more quiet than the hotel with a bar?—Yes, and more favourable for sleeping.

39678. Is it your experience that the liquor traffic as carried on in bar-rooms, is an interference with quiet and sleep?—Yes, with sleep. When men get together, they begin to talk, and of course they do this in the bar room. If I want to sleep I prefer the temperance hotel, for this night only.

39679. Is it your observation that the liquor traffic, as carried on in bar-rooms, is an interference with a person's quiet and an interference with the social life, moral life and business life of the community?—No, I do not think so.

39680. Is the liquor trade, as carried on, productive of crime in any degree?—I have already said that liquor cannot be fairly said to be productive of crime, but that drinking is very often the occasion on which crime takes place. If liquor had been absent, there would not have been the occasion. A great many crimes occur in what might be called a drunken row ; but when a man is going to commit a burglary he takes care to be sober.

SIR MATTHEW BAILLIE BEGBIE.

39681. Have you observed that the ordinary man when he begins to drink becomes regularly educated to the drink habit?—I have never observed that one way or the other in regard to the drink habit. I have often observed that when an uneducated man gets a sum of money, the only thing he appears able to do is to go and get drunk.

39682. If a burglar keeps sober for business purposes, do you think it would be well for other men to keep sober for business purposes?—I am certain it would.

39683. You have spoken of your experience in Alaska, when you said it was a great nuisance to be unable to get liquor, and some persons told you where you could obtain it?—That was after two weeks' enforced abstinence.

39684. From which are there greater evil results: the drink traffic, as carried on, or inability to get liquor occasionally?—I should say, on the whole, the inability to get liquor. The drink trade is not a great offence if you keep out of the way of it.

39685. Does it place itself in the way of people who otherwise would keep out of the way of it?—No, I think you can generally keep out of its way.

39686. Speaking of the Turks, you said that you could not get any liquor in Turkey, except a certain kind. Do you believe that if the Turkish Government provided facilities for drinking freely, the Turks would thereby become a good and orderly people?—No, I do not think so. It is not in the nature of the people. But the superior races of men are greatly given to liquor.

39687. You think that is the characteristic of a superior race of men?—Yes; they are apt to do it to excess.

39688. Are the superior men in this country the men who get drunk?—The inferior races of men do not drink. However, it is a question of constitution. You take the African from Africa: he is quite as fond of rum as Pitt was. As a rule, you will find the class of men who keep sober an inferior race. I would be sorry to see men, white men, reduced to the level of Hindoos.

39689. Do you think if the people of this country abstained from liquor, they would be reduced to the level of Hindoos?—No. I think the people belonging to the white race would not submit to be prohibited obtaining liquor, for they would have it.

39690. Is it because they are the superior race that they will get it? Take men in this country who do not drink: are they inferior to men who do drink, intellectually or physically?—I should think it a sign of inferiority.

39691. Intellectually, physically or morally?—I should consider it a mark of inferiority if a man cannot drink, or does not drink, and if he will not drink. He might abstain from religious motives or for the sake of example. These are high and good motives, but for a man to abstain simply because his constitution cannot stand it, that is a mark of distinct inferiority.

39692. Take the people of Victoria, men who drink and men who do not drink. Are the men who do not drink inferior to the men who do drink?—I have very little acquaintance with men who do not drink. I associate with men who drink. If a man takes a pint of claret a day, I consider he drinks.

39693. Is he morally superior to the man who does not drink?—I think he is superior morally, intellectually and physically.

39694. You think he is a stronger and better man?—A stronger and better man, who is carrying out the law of the Bible.

39695. Would you, in the interest of the country, physically, intellectually and morally, have the liquor trade carried on freely without let or hindrance?—No; I do not think it should be carried on without let or hindrance.

39696. Why have any restrictions?—Because I believe there should be some restrictions on the trade. The wisdom of mankind has placed restrictions on it. In all countries restrictions have been placed on the liquor trade.

39697. Can you say why that is?—That is a question entirely for the legislators to say; but I suppose one reason would be that all places where people assemble under circumstances should be regulated, and therefore you find all places of assembly regulated by law. Places of public gatherings, theatres and all establishments where liquor is sold are regulated by law.

39698. Does this apply to any other trade except the liquor trade?—I do not know of other trades being regulated in exactly the same way, except, perhaps, theatres.



They are not regulated, however, because they carry on the trade, but because they are places of resort and places of meeting. This principle of regulation applies not only to the liquor traffic, but to all places of public meeting.

39699. Do you think if those places were not regulated, they would produce a combination of disorders that would be disastrous to the community?—Just the same as meetings in Trafalgar Square: they are all regulated and controlled by the police.

39700. Would the meetings in Trafalgar Square require to be regulated, except for the fact that the liquor trade is a large factor?—The liquor trade has nothing to do with political meetings held in Trafalgar Square. I do not see the connection of your question.

39701. Would not the larger proportion of the men be under the influence of liquor?—Certainly not. Speaking of prohibition?—I desire to say that this does not only apply to Trafalgar Square. There was a similar instance at Chelsea, where the people started to preach, and that of course had to be regulated by law. The Salvationists, in the same way, should be controlled by law.

39702. Is it the same as regards bar-rooms?—I believe they are a most moral and excellent set of people, but they go about beating their big drums and singing like a lot of drunken Siwashas, and they should be controlled.

39703. Do you think measures to control them should be adopted in a like manner to the measures adopted towards the liquor trade?—I do not know what means might be adopted to prevent the nuisance and annoyance, for it might rather be dignifying them by giving them too much prominence. I do not know that any one is afraid of the Salvationists, but people find them to be a nuisance.

39704. Are people afraid of the liquor trade?—Some people appear to be.

39705. Is it because a great many people are afraid of the liquor trade that regulations and restrictions are placed upon it?—No, I do not think so. When you take an English-speaking people and you find that a certain number are afraid of the trade, I am led to imagine that many people are afraid, although I do not think that any one is really afraid of the trade itself.

39706. Would you understand the fact that a great many regulations and restrictions are placed on the liquor trade to indicate that the majority of the people are in favour of that kind of regulation?—I take it that the will of the majority of the people is expressed on the statute-book.

39707. Do you think it was the public will that framed the law?—No.

39708. Do you consider that that would be done by the representatives in the Legislature?—Yes.

39709. So the public will find its opinion represented in the Legislature, and the Legislature will frame the enactments. Do you think if a prohibitory law were enacted, it would be a worse Act?—I do not believe it would be worse, but I do not think you could get it.

39710. Is your objection to a prohibitory law based on principle, or what you regard as the impracticability of prohibition?—On both grounds. I think it would be inexpedient if it were possible, and it is impossible if it were expedient.

39711. If three-fourths of the people said they wanted prohibition, a law to prohibit the manufacture, importation and sale of alcoholic liquors for beverage purposes, do you think it would be right to enact such a law?—If the sky were to fall we would catch plenty of larks, and they would be very cheap.

39712. That is not an answer to the question?—I beg your pardon. Your statement is as practicable as my supposition that the sky might fall. You said that provided three-fourths of the people were to desire a general prohibitory law. I do not think that it is at all possible.

39713. I am not a lawyer, but reading the law as enacted, I have learned this: That not so many years ago there was little or no regulation or restriction placed on the liquor trade, and now everywhere there are restrictions placed around that trade. Do these increased restrictions express the popular sentiment; do you so explain them?—All highly educated, legitimate sentiment favoured it. I object to the word restriction,

SIR MATTHEW BAILLIE REGGIE.



I would rather use the word regulation, because there is really no restriction on the quantity that may be sold.

39714. From your experience as a Judge and observation as a citizen, can you say whether the license law, as it stands to-day, regulates the liquor trade?—The license law to-day professes to regulate the trade, and it should be obeyed.

39715. It professes and is intended to regulate the trade, but as a matter of fact does it regulate it?—I think it does, to a very great extent. I do not know of any cases where it does not regulate the trade, except where the traders sell liquor to Siwashas. These cases are unfortunate, but they appear to continue in spite of the law.

39716. Do the men in the trade sell liquor to Siwashas?—No, not the men in the trade exactly.

39717. Then what men sell?—That is rather a question for the Police Magistrate. They are generally a very low class of men, who buy liquor in order to sell it again to the Siwashas.

39718. Of course, as a Judge, you believe in the enforcement of the law?—I think so. If there is a bad law enacted, the best way of getting it repealed is to carry it out strictly until it is repealed.

39719. Do you believe a law against an evil thing creates a strong public sentiment against that evil thing?—I do not think I ever considered that proposition. It might strengthen public sentiment, and might at the same time raise an outcry against it and weaken it.

39720. If a law against an evil thing is to be abolished because of an outcry raised against it, would you, as a Judge, more rigidly enforce the law?—I would, as a Judge, endeavour to enforce the law that was on the statute-book; that is all I would be able to do.

39721. Do you believe law is an educator?—It is an educator, but very often it educates by bad example. A bad law educates the people as much as a good law, in some sense.

*By Judge McDonald :*

39722. Is it not a fact that animosity is aroused against a prohibitory law, because the people believe that the law is against a thing that is not an evil?—Yes, that is what I meant by saying that a bad law even educated the people as much as a good law. They believe a thing illegal if contrary to Statute, but it is not immoral. When a law is pressed more and more against this, they are more and more educated to believe in the immorality of the law.

39723. In speaking of the North-west Mounted Police, you of course referred to the officers with whom you came in contact?—Yes, certainly, and I found them nice gentlemanly men.

39724. I suppose you had no intercourse with the privates?—No; but I never saw one of them under the influence of liquor.

*By Rev. Dr. McLeod :*

39725. Did we understand you to say that the officers and men had liquor in plenty?—They seemed to have, and were reported to have. They seemed to be a sober, superior class of men, superior intellectually, morally and physically to the men who never took whisky.

39726. Do you attribute that to the fact that they took liquor?—No. You are attributing to me the cause instead of the effect. I say that the superior class of men and nations, as I have observed them, are fond of liquor, and only inferior nations abstain from liquor. Not that there is any inferiority because they abstain, but they abstain because they are inferior. All the Anglo-Saxon nations are fond of liquor, and they are, and I belong to one of them, considered to be superior to the ordinary races.

39727. Then the desire for liquor is an indication of superiority?—I think so, certainly.

39728. Then abstinence from liquor is an indication of inferiority?—I suppose so.

*By Judge McDonald :*

39729. I suppose you want us to take that answer subject to what you have stated before, with your previous explanation?—Yes ; even barbarians are fond of liquor.

*By Rev. Dr. McLeod :*

39730. What about the Indians and Half-breeds and Siwashes, who are very fond of liquor : are they superior?—No. I did not say it was the universal rule. On the contrary, I have mentioned over and over again that there are a great many individual cases which do not fall within the rule ; but as between nations, those that abstain are certainly inferior.

*By Judge McDonald :*

39731. You have excepted men who abstain from conscientious motives?—Yes.

39732. And men who abstain for the purpose of setting an example to others?—Yes.

39733. I believe that the man you consider inferior is the man who, on account of constitutional defects or weaknesses, abstains?—Yes.

SIR MATTHEW BAILLIE BEGBIE subsequently forwarded to the Acting Secretary of the Commission the following supplementary statement :—

VICTORIA, November 23rd, 1893.

TO DR. BRADLEY,

Acting Secretary, Royal Commission, Liquor Traffic.

SIR,—As I fear some of my answers to the Honourable Commissioners may have been misunderstood, I beg to supplement those answers in writing.

39734. I did not mean to say, and I do not think I said (though you have so supposed) that the use of stimulants proved any superiority either in a race, or an individual, over an abstainer. My contention merely was that as a matter of fact stimulants are used by all the Indo-Caucasian races ; and that the only races who habitually, or generally, abstain from alcoholic beverages are generally considered inferior to these, viz. : The Mohammedan races generally, Hindoos and Chinese. I also stated that I had never met a total abstainer who impressed me as possessed of extraordinary excellence, morally, intellectually or physically. On the contrary the best men I have known in every line have used stimulants.

In answer to a question that people are debased by using, and improved by abstaining from stimulants, I meant to say that demonstration is scarcely possible ; because if a people used alcohol for a certain period it would have been impossible to say what their relative position would have been had they during the same period used nothing but water, and *vice versa*. I now wish to add that all the examples I can remember certainly are contrary to the suggestion. For instance :

Eight hundred or one thousand years ago the Mohammedan nations surpassed the Christian nations in arms, in science, in literature ; supported and at length repulsed far beyond their limits, all the forces of Europe banded against them, and nearly alone preserved mathematics, astronomy, medicine and philosophy from oblivion. Thirty generations of water drinking on the one side and wine drinking on the other has not improved the relative position of the total abstinence men ; on the contrary, the positions are entirely reversed, and many Christian nations are now able, singly, to cope with the whole force of Islam. And the relative progress of the Christians in arts and sciences and learning has not been less pronounced, but is ever more remarkable than their advance in armed strength.

As another example : I never heard of anybody here who ever saw a drunken Chinaman ; yet this extraordinary sobriety has not enabled them to gain a higher position than the whisky drinking colonists of European race. Again : The Mormons have been compelled by their religion to be total abstainers during three generations ; but they have shown as yet no superiority, physically, morally or intellectually, over the surrounding Gentiles.

SIR MATTHEW BAILLIE BEGBIE.

It is further remarkable that whereas all Christian communities are by the exigencies of their religion bound at least to the occasional use of wine, communities who reject all fermented wines or liquors are precisely those who reject Christianity. Even among the most ignorant and barbarous savages, who delight in rum, the aborigines of Africa, are more susceptible to the teachings of our missionaries than are the water-drinking Arabs who oppress them. So, too, the Indians of this continent who have universally a taste for fire-water, are more open to Christian teachings than the Mormons. And, I believe, the same observation holds as between the higher and lower castes of the Hindoos.

I don't mean to say that these facts establish the utility of whisky drinking or any mischievous properties in water. If the Turks had been drinking spirits ever since the crusade, and the Russians nothing but water, it is of course possible that the reversal of their relative strengths might have been more ridiculously obvious than it is now. I am as far from suggesting that Christianity is founded on alcohol as that Mohammedism is based on water. All I contend for is that the use of alcohol is compatible with great improvement all along the line, and that water drinking does not preserve a nation from every sort of degradation. There is probably one subtle influence or instinct at work which impels one race to Christianity, freedom, civilization and the juice of the grape, and another race to Mohammedism, coffee and an indolent barbaric depotism.

Another expression I used, which one of the Honourable Commissioners appeared not to understand, was in answer to a question to me on the hypothesis that a large proportion of the community desired the total suppression (as I understood) of the liquor trade. This seemed to me an impossible hypothesis, at least on this continent, much as if we were to speculate on what was or should be done if the sky should fall. The only instance which could be quoted, would be, I suppose, the State of Maine. But it is quite clear that the majority of that community are not in favour of their repressive law, but treat it (though the people are otherwise law-abiding) with the utmost contempt. Statutes are not enacted, but endured by a majority, not from any belief in their utility, but from mere weariness—like the judgment of the unjust judge—and in the full persuasion that such provisions will speedily become obsolete; as the "Maine Liquor Law" is already expected to be, except for the purposes of derision.

I have the honour to be, Sir,

Your obedient servant,

MATT. B. BEGBIE.

HON. ALBERT NORTON RICHARDS, Q.C., of Victoria, barrister-at-law, on being duly sworn, deposed as follows:—

*By Judge McDonald:*

39735. You are a barrister and also a notary and Queen's Counsel of Ontario?—Yes.

39736. How long have you lived in British Columbia?—I was here off and on a number of years before I settled here finally. I think I came here in 1875 and remained until 1881. Then I was absent until 1884. I returned at that time and have remained since.

39737. You are well acquainted, I believe, with the Ontario License Law?—Yes. I think I was also in Ontario when the Scott Act was in force. I was there in 1881-82.

39738. What county were you in?—I was at Brockville. The Act came into force on 1st May, 1886. I was back there, and went to Ottawa on some business.

39739. Did you see anything of its operation when you were there?—There were old men who were in the habit of drinking, and when they could get nothing to drink they were better men.

39740. Do you know whether they did get liquor or not?—They ran over to Morristown and obtained what they wanted. Of course there were a great many who did not get it. The farmers who came in then went home sober.



39741. Do you know how the Act operated in later years?—I was not back there then.

39742. Do you know what became of the Act?—It was repealed.

39743. Why?—I do not know. There was a large majority who voted in the counties for it originally, and a still greater majority voted to repeal it at the end of three years. It could not be repealed until after three years.

39744. Then you do not know why it was repealed?—No, I was not there at the time.

39745. Since you came here, have you noticed any change in the social customs of the people, whether there is less liquor used now than formerly?—I am not a drinking man myself; I never go into a saloon.

39746. I mean in regard to the people, whether there is more or less liquor taken since you came to the province, at public meetings and at family gatherings?—I do not know. I do not associate with drinking people and with drinking men.

39747. Are you a total abstainer?—No, I never was. I am a temperance man, but I do not belong to any temperance society. I do not say that I do not drink, but I do not care about it, and I do not take any credit to myself for not drinking.

39748. Were you at any time brought into connection with the license law?—I was Police Magistrate for three years.

39749. Take the cases that came before you, was any large percentage attributable to the use of intoxicating liquors?—When I first took office there was no punishment for drunkenness. We had the Dominion law, the Vagrancy Act. Simple drunkenness was no offence, and some other offence had to be coupled with it, such as being a nuisance. Subsequently the City Council passed a by-law making drunkenness an offence. I think this law was in force two years before I gave up.

39750. Had you many cases under it?—I do not remember: the returns will show. I had to prepare two sets of returns, one a return of offences under the provincial statute, and one under Dominion statute. I do not know whether my predecessor or successor did this, but I thought it was necessary.

39751. In case of the enactment of a general prohibitory law, a law to prohibit the manufacture, importation and sale of alcoholic liquor for beverage purposes, do you think it right that brewers and distillers should receive compensation for their loss of plant and machinery?—I think so. I think if the law allows men to engage in the business and to invest capital, the State should compensate such men if it subsequently destroys their trade. Take the case of Robert Bowie, of Brockville: he was almost ruined. He spent a large sum of money in establishing a large brewery. The Scott Act then came into force, and he was shut out from the local market, and no compensation was made him. I think the case was one of extreme unfairness. If municipalities wish to adopt such laws as the Scott Act, men engaged in the trade should be compensated.

*By Rev. Dr. McLeod :*

39752. Would that instance seem to indicate that the Scott Act so far as those counties were concerned had the effect of destroying the liquor trade?—I think it did. I do not pretend to say whether there was as much liquor drunk there afterwards or not.

39753. Speaking about compensation: sometimes changes are made in the tariff which almost destroys business interests. Do you think it would be right to compensate all traders in such cases?—I am not looking at the question in that light, but I certainly think that if the State licenses men to manufacture under Dominion laws and grants permits to establish distilleries, and if it is decided later on that it is in the interests of the public to destroy those businesses, I think the public should compensate the parties.

39754. About the prohibition of the trade: do you think it is desirable in the interests of the country physically, morally or socially to prohibit the drink trade over the whole country?—I never was in favour of it; I am not a prohibition man.

39755. Are you opposed to the principle of prohibition?—I think that such a law is right in principle, because liquor is the source of a great deal of evil, and I am satisfied that almost all the crime is committed through liquor. At the same time there are a great many men who drink moderately, and it would be unfair to those men to take away their natural rights and prohibit them obtaining it when they wish to do so.

HON. ALBERT NORTON RICHARDS.



39756. Do you think it is an interference with natural rights to arrest a man who drinks to excess, and shut him up?—If he drinks to excess it should be done by people to protect themselves.

39757. Do you think it is well to establish a trade that provides facilities for that man's excessive drinking?—You might shut up butcher shops according to that argument. All men do not drink to excess.

39758. Do you think that butcher shops and drinking shops are quite alike?—There are a great many dyspeptics in this country, and all of them are manufactured by over eating. You might ask for the closing up of sugar refineries. American women are noted for eating sugar and becoming dyspeptics. Pretty nearly all the women in America are troubled with dyspepsia. They are not nearly as strong as old country women who have 10 or 15 children.

39759. Do you think drinking and over eating are parallel? Do you include them in the same category?—Yes.

39760. Do you think over eating is as injurious to the country at large as is drinking?—I think there are more drunkards than dyspeptics. Some men commit a great many crimes through liquor by having their tempers aroused. Take, for instance, crimes resulting from scenes of violence, assaults, murders and offences of that kind, which are more or less the result of drink.

39761. Which do you think is the more injurious to the community as established to-day, the drink trade, or the meat and grocery trade?—We cannot get along without the meat and grocery trade.

JAMES E. McMILLAN, of Victoria, High Sheriff for the County of Victoria, on being duly sworn, deposed as follows:—

*By Judge McDonald:*

39762. Does the county take in more than the city?—Yes, it takes in nearly all the island.

39763. How long have you been High Sheriff?—Eight years.

39764. How long have you resided in the province?—Thirty-two years.

39765. Did you come here from one of the other provinces?—Yes, from Durham, Ontario.

39766. I suppose a license law was in force in Ontario when you were in the County of Durham?—Yes.

39767. Did you find a license law in force here when you came here?—Yes.

39768. Have you never had a prohibitory law here?—No.

39769. How have you found the license law operate. Has it been satisfactory or otherwise?—How do you mean, generally?

39770. Yes, generally in this community. Have the provisions been well observed?—Yes.

39771. The restrictions have been increased latterly, we understand?—Yes, slightly.

39772. Do you think it has been for the public benefit?—Certainly.

39773. Have you considered the question of prohibition?—I have thought of it and read of it.

39774. Are you favourable to prohibition on principle?—I think so.

39775. Have you formed any opinion as to whether it would be practicable to enforce it on this island?—I think it would be just as practicable as any other law, although the people have certain ideas as regard their liberty.

39776. Do you think there would be any difficulty in enforcing it?—No more difficulty than with any other law, if you only get the men to do it.

39777. You mean to enforce a law to prohibit manufacture, importation and sale of intoxicating beverages for drinking purposes?—I think if there were proper officials appointed who did their duty, it could be enforced.

39778. Have you been in any country where there has been such a law in operation?—No.

39779. Do you know anything in regard to the operation of the law in the North-west Territories?—Not from personal observation, only from what I have read.

39780. Have you considered the question of granting remuneration to brewers and distillers, in the event of the passage of such a law, for their loss of plant and machinery?—No, I have not given that subject consideration.

39781. You are not prepared to say whether it would be right or wrong?—I do not see what claim they would have, any more than compensation might be claimed for changes in the tariff.

39782. You put those cases on the same footing?—Yes.

39783. Have you considered the terms of the statute and the departmental regulations regarding brewers and distillers, who have to put in certain machinery and plant, and distillers are compelled to keep their stock for two years?—I do not think it would be a fair thing to give those men the right to start business and then to legislate away their business without paying them something.

39784. Have you thought of the enforcement of a general prohibitory law?—Yes.

39785. Will you kindly state to the Commission the mode of enforcement you would adopt to prevent smuggling here?—I think the machinery we have now would be sufficient to prevent smuggling.

39786. In the North-west Territories the Government maintained a force of Mounted Police of 1,000 men charged with the enforcement of the law, and with a right to search houses and persons. Would you favour the adoption of such a law here?—Yes; I would have a law to prevent the introduction of liquor into the country.

39787. Are travellers landing from Japan and bound for Europe searched as regards their hand baggage?—Yes, they are searched for cigars also.

39788. You would be satisfied with a law of that kind?—Yes, I have no objection to it; I rather favour it.

*By Rev. Dr. McLeod :*

39789. You have, of course, to deal with matters of crime as High Sheriff of the county?—Yes.

39790. Have you noticed during the eight or nine years you have been in office whether there has been any proportion of the crime that you have dealt with traceable directly or indirectly to the drink trade or the drink habit?—I have no doubt of it whatever.

39791. What proportion do you think it would reach?—Three-fourths of all the offences here are traceable, directly or indirectly, to the use of alcoholic liquors.

EARNEST HALL, M. D., of Victoria, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

39792. How long have you resided in British Columbia?—Two years.

39793. Did you come here from one of the other provinces?—I came from Halton County, Ontario.

39794. Did you live there during the time of the Scott Act?—I was there attending college.

39795. When you came here, did you find a license law in force?—Yes.

39796. How did you find the license law work?—I am not prepared to answer that question directly, not having had my attention called particularly to the working of the license law.

39797. As between prohibition and license, which do you favour?—The only prohibition of which I have had any experience was in the County of Halton under the

JAMES E. McMILLAN.

Scott Act, and it certainly diminished the quantity of liquor consumed, to a very great extent.

39798. Do you think such a law would be beneficial?—Yes, decidedly. I think such was my personal experience as a young man.

39799. Was the Act repealed?—Yes.

39800. Do you know if efforts have been made to pass it again since it was repealed?—Not that I know of.

39801. Have not three years to elapse before the Act can be tested again?—I do not know.

39802. Have you considered the subject of prohibition?—I have.

39803. Are you favourable to it? Most certainly.

39804. As a matter of principle?—As a matter of principle.

39805. Do you think it wrong to license the liquor trade?—I do.

39806. Do you think it is a sin?—It is a sin to license it.

39807. In case of the enactment of a general prohibitory law, a law to prohibit the manufacture, importation and sale of alcoholic liquors for beverage purposes, do you think brewers and distillers should be compensated for loss of plant and machinery?—I think not, as they have all gone on with the understanding that the privilege might be taken away from them at any time.

*By Rev. Dr. McLeod:*

39808. Do you think a general prohibitory law could be well enforced?—I do.

39809. Have you observed the license law sufficiently to know whether it is enforced or not?—I think it is not.

39810. Have you reason to believe that the prohibitory provisions of the license law are observed?—Yes.

39811. Do you know whether there is illicit sale by others than licensees?—There is.

39812. Do you know whether an attempt has been made to enforce the prohibitory provisions of the license law?—Yes, efforts have been made, spasmodic efforts.

39813. You think it is as easy to enforce a general prohibitory law as it is to enforce the prohibitive clauses in the license law?—No; I will not say it is as easy, but I think it is as practicable.

39814. Do you think such a law could be well enforced, enforced as well as the prohibitory clauses?—I think so.

39815. Comparing Halton under the Scott Act and Victoria under license, which would you prefer?—Halton under Scott Act most decidedly.

39816. How do you account for the fact that Halton repealed the Scott Act later on?—It was a matter of opinion among a great many that the weak-minded temperance men violated the law themselves, and so condemned the whole system.

39817. Did you understand the repeal of the Scott Act as the verdict of the people against prohibition?—By no means.

39818. Have you reason to believe that many of the people who voted against the Scott Act and who voted for its repeal would be likely to vote for absolute prohibition?—I know a great many of them would do so.

39819. I ask this question, because it has been stated repeatedly that the Scott Act people vote against restriction of the liquor traffic?—Not at all in Ontario.

39820. As a practising physician, have you observed whether total abstinence is compatible with the best health?—Sir Matthew to the contrary, I hold that it is compatible with the most perfect health, intellectually, morally and physically.

39821. That suggests a question as to the superiority and inferiority of races. Have you any opinion that would bear on that point?—I do not know that I have.

39822. Is habitual moderate drinking (a line is drawn by many people between moderate and excessive drinking, of course) harmful or otherwise?—Harmful, most decidedly.

39823. Other things being equal, has a total abstainer any better expectation of life than the habitual drinker?—All insurance statistics prove that to be the case, that they have the better chance.

39824. What is the rule of life insurance companies?—I cannot give you statistics, but I am examiner for four or five different companies and each lays special stress on the question: "Are you a moderate drinker or a total abstainer?" Almost all companies lay stress on a man being a moderate drinker.

39825. Do the companies vary the rates according to the answer given to that question?—Applications are placed as 1st, 2nd and 3rd class.

39826. You say you have been examiner for insurance companies?—Yes, for a number of them.

39827. Has the matter of heredity, other things being equal, the fact that a man is the child of habitual drinkers, any importance? Is he more likely than the child of total abstainers to have a desire for drink and suffer from any physical defect?—I can only speak of the law of heredity which is universal in the human family, and give instances that have come under my own attention. The child of drinkers is more liable to become a drunkard on account of the inherited weakness of his nervous system, and there is a great risk of idiocy in children as a result of drunkenness on the part of parents.

39828. Have you looked into the statistics as to idiocy?—I have not.

39829. Have you looked into the statistics as to insanity?—No, I have not. I am referring to cases that have come under my own personal observation.

39830. What do you think would be the effect on the health of a community if there was enforced prohibition?—Beneficial in almost every instance.

39831. Do doctors here give certificates of death?—Yes.

39832. Do you find any proportion of the cases directly or indirectly attributable to the drink habit and the drink traffic?—My practice is not among those who tipple to any extent, but I have had two cases at which I had to assist at post-mortems, which were attributable to drink.

39833. Are you a Coroner?—I am not.

39834. Do you sometimes have to make post-mortems?—Yes.

39835. Do you find in cases of untimely deaths that there is a percentage of them due to the drink habit and traffic?—I will answer that question in this way: death was attributable to the condition which every scientific physician knows is due to alcohol. This man to whom I referred was an inveterate drunkard; therefore, I drew the conclusion that death was due to alcohol.

39836. Why do insurance companies ask that question which you have given?—One of the chief reasons is that the use of alcohol, especially by women, possesses an element of danger.

39837. Are there any companies that do not impose such restrictions?—One company I wrote to on the subject said: "a total abstainer is capable of taking care of himself wherever he goes." This company offers no restrictions.

39838. You think that company regards total abstinence as being more safe?—Yes.

39839. As a physician coming into contact with parents and children, have you reason to believe that intemperance has been the cause of any proportion of sickness and disease which you have met?—Yes, I think so.

39840. What percentage would you say?—I cannot say, on account of my practice not being among that class; the percentage would, however, be 2, 3 or 4 perhaps.

*By Judge McDonald:*

39841. How long have you practised medicine?—Three years.

39842. You have been two years here, I believe?—Yes.

39843. You said you wrote to some insurance company. Was it in regard to some inquiry such as this being made?—No; it was a different matter.

39844. Are you prepared to say that there are insurance companies that have lower rates for total abstainers?—No.

39845. You have said that the license law here is violated?—Principally in houses of ill-fame.

39846. Those people are not licensed?—That is where the violation takes place.

EARNEST HALL.



39847. Have there been cases of violation by licensees?—Not to my knowledge.

39848. You say illicit sale takes places in houses of ill-fame?—Yes.

39849. How many such places are there in this city?—Between 30 and 40, I should think.

39850. We find by the return for 1891 that there was \$18,000 paid for licenses into the city revenue and used for the benefit of the municipality, In case you obtained total prohibition, would you be prepared to raise by other taxation the money now raised by license?—Most certainly. Not so much money would require to be raised.

39851. Would you be satisfied to have a prohibitory law enacted under which, in order to be successful, you must give the police the power of personal and domiciliary search, and allow them search travellers coming into the country or leaving it?—Yes, with the provision that all persons with limited tickets should be allowed to pass. That is the only provision I would want inserted.

39852. Would you expect the travellers to bring in liquor?—I would allow them to bring in a limited quantity.

39853. What quantity would you allow them?—Half a pint at the outside.

39854. You would have search made to see if the quantity was exceeded?—Yes.

39855. And if it was exceeded, you would take it away from them?—Certainly.

39856. Do you know any country where such a prohibitory law is in force?—I do not know that I can recollect any such country.

39857. The Commissioners have been told that there is such a state of affairs existing in the Fiji Islands. Have you any knowledge of the law there?—No, I know nothing about it.

39858. You would be prepared to try the law which you have spoken about, and see if it could succeed?—Yes.

*By Rev. Dr. McLeod :*

39859. Speaking of houses of ill-fame, is it your belief that there is sale of liquor in them?—Yes; they could scarcely be run without whisky being sold in them.

JOSHUA DAVIES, auctioneer and commission merchant, or being duly sworn, deposed as follows :—

*By Judge McDonald :*

39860. How long have you resided in Victoria?—I have resided here since 1860, more than 30 years.

39861. Before that, where did you reside?—In California.

39862. What system of dealing with the liquor trade was in force in California when you lived there?—A license law.

39863. Have you ever lived in any prohibition country?—No.

39864. I suppose the license law since you came here has been amended from time to time in regard to its provisions?—I do not think it has been amended very much.

39865. Do you think it works satisfactorily?—I do not think it works harmoniously.

39866. Have you found it to work satisfactorily?—Fairly satisfactorily.

39867. Do you think the licensees try to live up to the provisions of the license law?—I think so.

39868. Have you reason to believe that unlicensed sale exists to any extent in this city?—I do not think so.

39869. Taking the community as a whole, how do you find the people, are they law-abiding or the contrary?—I think they will compare favourably with people in other communities.

39870. Do you know anything of the use of light wines and ales here, as distinct from the use of ordinary spirits?—I cannot see very much difference. I think the people

are using more wines and beer than they have been in the habit of doing. This is on account of the cheapness of California wines and from the new breweries recently opened.

39871. Do you think it would be advantageous if the use of those liquors was increased and the people came to use them regularly instead of ardent spirits?—I do not know. It is not so much the use of liquor, but the taste and habit that are harmful.

39872. Are there any amendments to the present license law that you could suggest, either as regards the mode of issuing licenses, or the number of licenses, or the amount of the license fee or any thing of that kind?—I have always thought that the sale of liquor should be open to all.

39873. Do you mean open to all without limitation?—Yes; but the fee should be very high, probably two or three times as high as now.

39874. Then in your opinion it would be desirable to allow any man to have a license, but you would make the fee high as a protection?—Yes, and also see as to the quality of the liquor sold.

39875. I think that is one of the matters that the Government are now attending to. They demand that liquor shall be two years in warehouse for purposes of rectification?—Yes; that rule should be extended to all imported liquors. I think liquor coming in from different countries should obey that law, and only liquor of a certain age should be allowed to be used. In other ways I think the quality of the liquor is a matter that the Government should look after, and there should be two or three classes. This is necessary not only to protect the wealthy but the workingman.

39876. Then you would favour rigid and frequent inspection of liquors?—Yes.

39877. And the trade would regulate itself, and as many licenses would be issued as would be taken care of by people who would make the business pay?—Yes.

39878. Have you considered at all the question of prohibition?—I am certainly opposed to anything of that kind.

39879. Are you opposed to it on principle?—Yes.

39880. Do you think a general prohibitory law would be practicable in this country?—No. When you prohibit people from obtaining a certain article, the demand for it is increased.

39881. Apart from that circumstance, and taking this country as a whole, do you consider that it would be practicable to enforce a general prohibitory law for the whole Dominion?—I do not think so.

39882. What difficulties would you apprehend in regard to the enforcement of such a law?—In the first place, there is an immense coast line in the Dominion. Then, instead of the Government revenues and duties from different goods, I think there would be a lot of smuggling. It must be remembered that we have an immense coast line in the Dominion, taking the islands with the main land. It would be impossible under such circumstances to prevent smuggling. Of course if you put a very high duty on liquor it would encourage smuggling.

39883. You have heard the question asked in regard to the enforcement of the prohibitory law in the Territories, which gave the right of search to the police, the right of search not only of premises but of persons. Would such a law be likely to succeed in this community?—I do not think it would succeed. It would be most expensive if the Dominion ever undertook to attempt to enforce any such law.

39884. Can you form an opinion, from your knowledge of the country and your experience, as to what effects the enactment of such a law would have on travel in the country?—I think it would stop travel in a great measure. People are now in the habit of travelling under the most comfortable circumstances, having in the cars and steamboats the best food and drink. From my experiences as regards travel through British Columbia, I think that very little liquor is used by tourists. However, if they could not get it, I suppose they would want it.

39885. In case of the enactment of a general prohibitory law, a law to prohibit the manufacture, importation and sale of intoxicating liquors for beverage purposes, do you think that brewers and distillers should be remunerated for their loss of plant and machinery?—I think they should be paid every cent of what they have invested and the value of the liquor they may have in stock.

JOSHUA DAVIES.

*By Rev. Dr. McLeod :*

39886. In what lines of goods do you deal?—I am a general auctioneer, and I handle everything that comes into this part of the world.

39887. Do you receive consignments of liquors?—Often.

39888. Speaking about the inspection of liquor, do you think the price of liquor under the inspection would increase?—I do not think so. I think it would be a great benefit to many classes of the people, especially seafaring men, who go away for a number of months and when they return go into a low class of saloons where liquor of the very poorest quality is sold. That is one of the greatest dangers they meet with.

39889. You think it would be a great benefit to them if the quality of the liquor was decidedly improved?—Yes; if every one knew that they could get what they asked for, it would be very much better. The licensees should be pledged to keep liquor of a certain quality, and if they kept it of an inferior quality, the houses should be closed.

39890. Are there any liquors of a better class that would not make a man drunk?—I think you can get drunk on almost anything. You can get drunk on liquor made with sugar and sea-weed. They make liquor out of sea-weed and out of sugar; the liquor made out of sea-weed is known as Oclmoo. It is manufactured by the Indians near the Alaska territory, if not in Alaska itself. They distil it from kelp, which is a kind of sea-weed. The kelp furnishes the whole thing. It is the same as pure alcohol, and it is the very worst liquor.

39891. It is practically alcohol?—Yes.

39892. Will it intoxicate a man?—It simply makes you crazy, and a very little of it will do so.

39893. Would that be cheaper than ordinary liquor?—If you wanted to kill yourself, I suppose it would be.

39894. Does it actually kill, or simply make a man crazy?—It makes a man wild.

39895. Are the liquors which are said to be pure, less intoxicating?—Any liquor will intoxicate.

39896. Will it pay better than impure liquor, say of second or third class?—Of course selling it by retail, the retailer does not make as much by selling good liquor as he would make selling poor stuff; but when he receives 10 cents a glass he can afford to give the very best liquor. I am speaking of the City of Victoria.

39897. I suppose second and third rate places that sell poor liquor do so because there is profit in it?—Certainly, and that class of people take larger quantities.

39898. Do you think that if they sold better liquors, the people would take less?—They would reduce the quantity sold. If you want the very best brandy they will give you a small glass that is called a "pony." They give you a smaller glass, and you have the privilege of filling it again. In the very best saloons they will charge 25 cents per glass for that kind of liquor; but that is not what I am talking about. What I want to distinguish is this: They have liquors that are practically new liquors, that is the liquors contain practically the fusel-oil. That is the worst kind of liquor any one can use.

39899. Is it not what men desire because it "scratches" and produces effects quickly?—Possibly, because the man has not been accustomed to anything better.

39900. Would it be class legislation to take that kind of liquor away from a man?—I think the Government should provide that liquor should be sold of a certain quality. They now provide that whisky and liquors of that sort shall be kept in bond two years for rectification purposes. The Government should provide that liquors that are imported should be treated in the same way, and that they should be of a certain strength and quality.

39901. Are you now referring to smuggled liquor?—No. You have at the present time to pay duty on the strength of liquors. The officer takes one bottle out of the case, and the duty is paid on the strength of the liquor.

39902. Is not that dictating as to what a man should drink?—It is the law to-day.

39903. You have said that the license law works satisfactorily, and that it is not harmful?—I do not think it is harmful. The only way in which it could be improved would be to have higher license and have a less number of houses, and compel them to keep a better class of liquor.

39904. What would be the advantage of having a less number of houses selling?—I think the present law gives an opportunity for a poorer class of liquor to be sold, and also a poorer class of persons to be engaged in the trade. If a more stringent law were passed and a high license had to be paid, and a certain quality of liquor sold, the licensees would be more careful to comply with the law.

39905. Have you observed yourself whether the liquor trade is harmful?—It is, in some instances.

39906. In many instances?—Often you see a man drinking heavily, which is bad for his business, but you also find a great many people who do not drink to excess. These persons may take more liquor than others.

39907. You do not believe in prohibition because it is an interference with personal liberty, I suppose?—I think so. I do not believe in any kind of prohibition. I do not believe any person has a right to say to me, I should not do so and so, simply because he believes it is not good for himself. He may be right, but it is not proper that any prohibition of that kind should be passed.

39908. Do you think the law has a right to deal with inebriates?—I certainly think so.

39909. Why?—Because the inebriate might be a danger to himself and to the community.

39910. Suppose they are harmless and do not create any disorder, do you consider the people have a right to deal with him?—They might not deal with him directly, but if it was a case in which a man had become crazy from liquor, the law should deal with the person who sold liquor to him under the circumstances. That would come under the liquor license law.

39911. You do not think it would be right to deal with a man by convicting him?—If he is a danger to himself and the community, I say yes.

39912. You do not regard the liquor traffic as a danger to the community, I suppose?—Not necessarily.

39913. Did I understand you to say that men always want to do what is forbidden?—A great many of them do.

39914. Do you think it would be well not to forbid men to break laws, and thus let every man be a law to himself?—There are always certain restrictions in a city, there must be some kind of laws; but as regards prohibition, that is going to the extreme.

39915. You said that you did not believe in prohibition in anything?—Yes.

39916. Do you think that is applicable to the decalogue, and furnishes the reason why men violate it?—I am afraid there is a good deal of that.

39917. Do you think it was a mistake to issue the decalogue?—I do not know.

*By Judge McDonald:*

39918. Do I understand that you would not favour prohibition as regards stealing?—I mean prohibition of anything wrong in law.

39919. Anything wrong in principle?—I swore here with my hat on because I am a Jew. If you had said you cannot take an oath in that way, I would have replied that you were interfering with my personal rights.

39920. Your answer that you are opposed to prohibition in anything, means anything that is not harmful in itself, I suppose?—Certainly.



ALEXANDER WILSON, of Victoria, merchant, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

39921. How long have you resided in British Columbia?—Thirty-three years past.

39922. Did you come here from one of the other provinces?—Yes, from the Province of Quebec.

39923. What part?—I am a native of the City of Quebec.

39924. I suppose the license law was in force in that province when you left there? Yes.

39925. Did you find a license law in force when you came here?—Yes.

39926. Have you lived anywhere else than in Victoria?—No. I believe the license fee was \$600 when I came here, now it is \$200.

39927. So you have watched the operation of the license law here, as a citizen?—I think I have.

39928. Do you know whether the licensees observe the provisions of the license law?—I believe they make all the drunkards the law allows them to make.

39929. I asked you whether you had noticed whether the licensees observe the law or not, I refer to sale on Sunday and after hours?—Up to within the last year the saloons were open seven days in the week and 24 hours in the day. Since the beginning of the year saloons have been open all week and closed at 11 o'clock Saturday night and open again at 4 o'clock Monday morning.

39930. How is the law observed?—I do not think it is observed.

39931. Do you know any establishment in which it is not observed?—I have seen drunken men on the streets on Sunday.

39932. Have you called the attention of the authorities to that fact?—No.

39933. I think you said the licensees make all the drunkards the law permits. What do you mean by that expression?—As many as they can accommodate in the saloons.

39934. I take it you are opposed to the license law?—I am an out-and-out prohibitionist.

39935. Then you think it is wrong to license the trade?—Yes.

39936. And you consider it to be a sin?—I do.

39937. In case of the enactment of a general prohibitory law, a law to prohibit the manufacture, importation and sale of intoxicating liquors for beverage purposes, would you think it right that brewers and distillers should receive compensation for their loss of plant and machinery?—No. I think the Government should pay the widows and orphans the liquor trade has produced. An applicant receives his license for 12 months only, and he has to renew it at the end of that time.

39938. Do you know of any case within your experience in which a Court granting licenses refused the application of a man who had lived up to the requirements of the law?—In this province?

39939. Yes?—I cannot say that I have.

39940. Do you not know that under the requirements of the Government and departmental regulations men are required to have certain machinery for the purpose of manufacturing beer and spirits?—Yes.

39941. Do you know that the spirituous liquor has to be kept two years in stock for the purposes of rectification, and that no remuneration is made them on that account?—Yes.

39942. Do you think a prohibitory law should be passed, to come into force as soon as possible?—Yes.

39943. In case such a law were passed, do you think it could be enforced here, provided the Government were in sympathy with and pledged for prohibition?—If they believed in the law, it should be enforced.

39944. Have you heard what has been said in regard to searching houses and persons: would you think that right under a prohibitory law?—We would have to submit to it.

39945. Do you think it would be right?—Yes. Of course such a regulation is not pleasant, but I would give it.

39946. Would you make a limitation by allowing half a pint of liquor to travellers going through the country on a through ticket?—If I am a believer in prohibition and the Government of the country believe in it, there is no occasion for allowing travellers to carry liquor. There are, of course, medicines used in camp and they would not have liquor; if liquor is to be given in one case, it should be given in others.

39947. So you would make the measure a very rigid one?—Yes.

39948. And you would carry it all through?—Yes.

39949. You think that with the officials openly in favour of such a law, it would be a success?—With the Government of the country sound on the question, there is no fear but that the evil will be stamped out and the officials will be sustained.

3 950. Have you made a study of the question?—I have read about it.

39951. Do you know any country in the world where such a law is in force?—I do not know of any: there is the State of Maine.

39952. There is this state of affairs in Maine: We have the sworn evidence before the Commission that while the people are not allowed to sell or have liquor for sale, they can have all they want for themselves, but they cannot go beyond that?—I know that some years ago it was a rare thing to see a drunken man.

39953. Is that the kind of law you would favour?—Yes, if the people would have it.

39954. Do you know of any country in the world where there is absolute prohibition now?—No; but I do not say that our country should not adopt such a law. The liquor traffic is a curse in every sense. Liquor is no doubt good for medicinal purposes and for manufacturing purposes; but take the effect on families and individuals and communities, and I think any candid man cannot fail to admit that it is a curse. I think it is a mark of superiority on the part of a man to be a total abstainer. In this province I have seen clergymen, medical men and lawyers who were a disgrace to their respective professions, from the use of alcoholic drink. I have seen them in the company of Indians. I respect an Indian as much as any other man as one of God's creatures. They are capable of being elevated. In this province we have Indians who have been led up step by step to high positions. If you educate the Indian, he becomes a man. Put whisky to his mouth, and he falls back at once and becomes a low Indian. Put whisky to the white man, and you have a "mean white" at once.

39955. Have you ever seen among the Indians what would be called moderate drinkers?—I do not think there is such a thing among the Indians.

39956. Do you think there is such a thing among whites?—I do not think there is any such thing as moderate drinking.

39957. Have you observed whether liquor has the same effect on whites as it has on Indians?—Yes.

39958. Have you spoken in regard to Indians. Would you make a law also in regard to whites, such as exists now in regard to sale to Indians?—Yes.

*By Rev. Dr. McLeod:*

39959. Have you noticed any change of late years in regard to the drinking habits of the people?—I have.

39960. Is drinking done more or less in this province?—In early days I think it was considered to be a mark of good breeding to have liquor on the table. When I visited a house there would invariably be drinking. Now the habit has pretty nearly died out.

39961. You think there is less of social drinking?—I do; but there is more in saloons.

39962. Then you think there is more bar-room drinking?—Yes, and also in hotels.

39963. As between the two, saloon and hotel bars: which do you think is the more dangerous?—The hotel bar is the more injurious.

39964. To what do you attribute the change in the social customs in Victoria to which you have referred?—The churches have had a great deal to do with it, as also have certain temperance societies, and in my opinion the Women's Christian Temperance Union has had more to do with it than any other association. When liquor is taken

ALEXANDER WILSON.

away from the sideboard and is no longer before the eyes of the children there is a great advancement made, and in this way young people who are growing up are not subjected to the same temptations.

39965. Do you think the traffic is now regarded differently to what it was before?—Yes, I think the people are beginning to look upon it as a disreputable traffic.

39966. Do you believe the growing sentiment of the people in British Columbia to be against the liquor traffic?—I do.

39967. Do you think the sentiment in British Columbia approves of the restrictions in the license law?—Yes, that is my opinion. I believe that if a vote was taken to-morrow, the people would vote for prohibition.

39968. Do you think it is desirable to have a plebiscite of the people on the question?—Yes, I think that would be the best way of arriving at the opinion of the people generally.

*By Judge McDonald :*

39969. You have lived in Canada all your life, I suppose?—The greater part of it I have spent about here. I belong to an inferior race—I am a Canadian.

39970. You have spoken of a plebiscite. Has it been a British custom to regulate the legislation of the country by having a plebiscite?—I believe not.

39971. Then should this question not be treated as any other question and left with Parliament to deal with?—I do not believe our legislators are sound. You have men elected on the temperance question, and they do not vote for it.

39972. You have said if a plebiscite were taken, the people would vote for prohibition. If the Legislature does its duty, will not this question be brought up and satisfactorily dealt with?—I do not believe the present House could order a plebiscite to be taken.

39973. Instead of taking a plebiscite, why not let the people who would carry a plebiscite elect a representative pledged to carry out prohibition, and in this way follow British custom?—That is where the trouble comes in.

39974. Why?—When it comes to an election the people are influenced and vote the way they are influenced.

39975. You mean they do not think of the prohibition question?—Yes.

39976. They allow other influences to override it?—Yes.

39977. Why do they not see that candidates are brought out who while they would act as their representatives would act, would also be in favour of prohibition?—I cannot tell you.

39978. Can you explain it?—No.

39979. Does it not seem to be the same way all over the country?—It does seem the same way. We find a man who is elected, and who is an out-and-out total prohibitionist, such as Mr. Foster, who is now Finance Minister, afterwards shuns the question. He asked where the revenue was to come from, and he wished to be shown how it was to be obtained, and appeared to think that it was impossible to obtain \$7,000,000 that would be required. He does not think that prohibition would empty our penitentiaries. There are between 80 and 90 convicts in New Westminster.

39980. Do you think they are there on account of drink?—As Paddy said once, I think three-thirds are there on that account.

39981. Have you any Chinese convicted?—Yes.

39982. We are told that they are not addicted to the drinking of liquor. Did intemperance take them there?—No.

39983. Who are the three-thirds?—There are a certain number of Chinese.

39984. You think that if the question was put as an abstract proposition, the people would vote at the polls in favour of total prohibition of the traffic?—I do.

39985. But when the question comes down to practical politics, you think it is thrown aside?—Yes.

39986. Has that been your experience in that connection?—Yes.

39987. I understood you to say that the traffic has become disreputable in this province?—All well thinking men think it disreputable.

39988. We have heard to-day that this is a very orderly and law-abiding community. Is that the case, do you think?—Yes.

39989. If all right thinking men consider the trade disreputable, how is it there is any difficulty in getting the Legislature to take the same view : why will not right thinking men act at the elections?—Of course the people might put right thinking men in the Legislature itself.

39990. If all right thinking men think the liquor traffic disreputable, and the majority of the people are right thinking men, where does the difficulty arise?—I do not know.

39991. Why do they not have the remedy applied by the Legislature to this disreputable trade?—They are striving for that.

39992. Why cannot it be done, if all right thinking men are of that opinion?—They cannot get the right men.

39993. Do you mean that the right thinking men form a majority of the community, and yet this cannot be carried out?—Sometimes we have men voting entirely for party, the same as they do in the east, but as a rule here men vote for individuals. For instance, there is a very respectable wholesale rum-seller in the Legislature. He is a very respectable man, if it were not for the traffic he carries on.

39994. Is he disreputable on that account?—That, in my opinion, makes him disreputable, for he is dealing in an article that has been the cause of murdering a friend of mine.

39995. Will the right-thinking men of whom you have spoken vote for the man whom you think is disreputable?—I am sorry to say they do.

39996. Can you account for that?—No, it is one of the inconsistencies of human nature.

*By Rev. Dr. McLeod :*

39997. How many years have you been in business?—I think about 28 years.

39998. As a business man, have you noticed the effect of the liquor traffic on other branches of trade?—The liquor traffic has this effect, if a merchant is a drunkard his children go bootless and very often hungry.

39999. Do you think that in that way the liquor traffic has an injurious effect?—I do.

GREGORY CLEMENT SAUER, of Victoria, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

40000. What is your business or occupation?—I have the Banker's Exchange saloon.

40001. Do you hold any official position in connection with the Licensed Victuallers' Association?—I do, I am President of the Association.

40002. How long have you lived in British Columbia?—About 10 years.

40003. Did you come here from one of the other provinces?—No, I came here from California.

40004. Since you came to British Columbia, have you resided in Victoria all that time?—I sold liquor in Vancouver before it was known by that name.

40005. How long did you reside there?—A little over a year.

40006. You were in the liquor trade in Vancouver?—Yes.

40007. Have you now a license from the Licensing Board?—Yes.

40008. Are you one of those who come under the provisions of the old law, that is, the license is continued from year to year by your simply paying the fee from year to year?—Yes.

ALEXANDER WILSON.



40009. Take the license law as you have observed its operation in Vancouver: do you believe that the persons who were licensed lived up to the requirements of the law?—I think so.

40010. Have you ever lived in any prohibition country?—When I was a boy, I lived in a country where it was in force.

40011. Where was that?—In Switzerland.

40012. Do you recollect anything of the working of that law there?—No.

40013. Do you recollect anything of the part of Switzerland where it was in force?—It was in force in some districts.

40014. In which of the cantons?—Zurich was one of them.

40015. Are there any amendments to the present license law you could suggest that would be advantageous. For instance, it has been suggested that it would be desirable to make the license fee higher?—I would not oppose it, but at the same time I do not think it would make any difference to the liquor traffic.

40016. Then it has been suggested that there should be an inspection of liquors, so as to prevent the use of adulterated and impure liquors. It has been suggested that as there has been a law requiring Canadian liquors to remain in bond for rectification purposes, foreign liquors should be required to be of a certain age?—Certainly. I think it would be a great benefit to the people if the liquor was inspected and ascertained to be of the same degree of strength as it should be.

40017. Have you had any experience in regard to the use of light wines and ales?—Yes.

40018. Is a taste for them growing among the people?—Yes, there are more light wines and ales drank now than there were formerly, in fact the sale is increasing all the time.

40019. Is lager beer used here much?—It is.

40020. Do you consider this to be a sober and law-abiding community?—Very much so.

40021. How does it compare in that respect with other places in which you have lived in California and elsewhere?—You will find drunken men anywhere, but this is as sober a community as I have seen anywhere.

40022. As you are in the traffic it is hardly to be expected that you are in favour of prohibition?—Certainly not.

40023. Putting aside the question as to whether you are favourable or not, do you think it would be practicable to enforce such a law?—I hardly think so. I do not think the people want it.

40024. In case of the enactment of a general prohibitory law, to prohibit the manufacture, importation and sale of intoxicating liquors for beverage purposes, would you deem it right and just that brewers and distillers should be compensated for their loss of plant and machinery?—I certainly think so.

40025. It has been suggested that it would be better to separate the sale of liquor from billiard and pool-rooms. What do you say as to that point?—I do not see that any benefit would result from that.

40026. Have you a billiard-room?—I have had a billiard-room.

40027. Have you one now?—No, I gave it up.

40028. You would have people who would play billiards and not drink?—It caused considerable trouble, so I gave it up.

40029. How did it cause trouble?—Because you had to attend to it.

*By Rev. Dr. McLeod:*

40030. Which pays better, the billiards or the bar?—The billiards pay very well when you run them properly, in fact they pay better than liquor.

40031. How long have you been engaged in the liquor business?—About nine years.

40032. What is the object of the association of which you are President?—We have to pay a certain sum of money for permission to sell liquor, and we are entitled to certain protection from the Government, and in order to get that protection we have formed an association.

40033. What protection do you expect from the Government?—We hold licenses, and consequently are allowed to sell liquor.

40034. What protection do you expect from the Government that you obtain by having an association?—That we will not be infringed upon in any kind of way. For instance, they passed the Sunday law about six months ago.

40035. Was the association opposed to that law?—Certainly.

40036. You did not want the Sunday law?—No. When we got our licenses, we had a right to sell on Sunday.

40037. I think you said that men under license observe the law : do they sell on Sunday?—Not that I know of.

40038. Does the association chide its members who violate the law?—Certainly.

40039. What do they do?—We will not allow them to be in the association.

40040. Have you had before your association any cases of violation?—To a certain extent. When we think we are infringed upon too much, we make a point to have it attended to.

40041. Infringed in what way?—In regard to the Sunday Act.

40042. Since the Sunday law has come into operation, do you believe the licensees have observed that law?—I think so.

40043. Have there been no cases brought against any one in the association?—There were two cases, but no proof was found against the parties.

40044. You think nobody has been convicted of selling liquor between Saturday night and Sunday?—No.

40045. Suppose one was convicted, would the association take notice and tell the licensee not to do it again?—Certainly, if he had violated the law.

40046. You believe in the license system?—Of course.

40047. Why do you believe in license?—If there was no license law every one would sell liquor.

40048. Do you not think it would be a better system?—No, I do not.

40049. Why do not grocers require to have licenses?—They have to have a license.

40050. Cannot a man sell groceries without having a license?—They must pay a certain license, and in this way contribute a certain amount to the revenue of the city and country.

40051. Then does every shop-keeper pay a license?—Certainly.

40052. But the liquor dealer does not require the same kind?—He pays a license fee, which is about the same thing.

40053. Do you think the grocery and liquor men are on the same basis?—Yes, to a certain extent.

40054. Does licensing limit the amount of drinking?—I do not think that license has anything to do with the drinking.

40055. Do men drink as much with license as without it?—Yes.

40056. In case of the enactment of a general prohibitory law, do you think men would go out of the trade?—I suppose they would have to do the same as anybody else; they could not starve.

40057. They would go out of the trade, I suppose?—I do not think they would remain and be fined or imprisoned.

40058. Would they be making themselves liable if the law were enforced?—The law would be enforced, but I do not think you could drive the liquor out of the country.

40059. Speaking of compensation, you think that brewers and distillers should be compensated. Do you think that the men who hold licenses should be compensated?—If the Government allowed me to take out a year's license and stopped me selling before the year was over, I think I should be compensated.

40060. But if the Government allowed you to run out your year, what would you say?—I would have no claim.

40061. But you think the brewers and distillers have claims?—Yes, because they have a certain amount of capital invested on which they could not realize.

*By Judge McDonald :*

40062. In what part of California did you live?—In San Francisco.

GREGORY CLEMENT SAUER.

40063. I suppose you were not in any part of California where prohibition was in force?—I formerly travelled in California, but there was no prohibition anywhere I visited.

40064. There was no prohibition anywhere in your day, I suppose?—No.

THOMAS HOUGHTON, of Victoria, dry goods merchant, on being duly sworn, deposed as follows:—

*By Judge McDonald :*

40065. How long have you resided in Victoria?—I have resided in Victoria in the neighbourhood of 16 years.

40066. Did you come here from one of the other provinces?—No, I came here from Massachusetts, but I originally came from England.

40067. How long is it since you came from Massachusetts?—About 5½ years.

40068. What system was in force there?—The license system.

40069. In England I suppose there was also a license system in force?—Yes.

40070. Did you find a license law in the province when you came here?—Yes.

40071. Have you observed the working of the law here?—Casually.

40072. Do you know whether the provisions of the license law are carried out here?—I could not state from my own personal knowledge whether they are carried out or not. I have heard people say that they are not carried out as much as they should be and that there is gambling going on, which is contrary to law.

40073. Have you any personal knowledge as to gambling?—No, I have never been in gambling places in my life.

40074. Is there any illicit sale of liquor going on here?—I do not know.

40075. Have you considered the question of prohibition?—I have read a good deal about it.

40076. Are you favourable to it?—Yes, I think it would be a good thing.

40077. Are you opposed to the licensing of the liquor traffic?—I am opposed to it, because it is detrimental to the interests of the community and the welfare of individuals.

40078. Do you think the license system is wrong in principle?—Yes, I believe it is wrong in principle, as so much evil results from it.

40079. Do you think it is wrong to drink liquor for beverage purposes?—I could not say it is wrong to drink liquor, although great evils result from the use of it.

40080. So you think it would be well not to license the sale of it?—Yes.

40081. You would rather have prohibition, I suppose; but failing prohibition, you would rather have license than untrammelled sale?—Yes.

40082. Do you think a generally prohibitory law could be practically enforced in British Columbia?—Of course that could only be ascertained by test.

40083. You want prohibition that will go to the root of the matter?—Yes, and I do not want a law that cannot be enforced.

40084. You would not want a law that would prevent men drinking if the liquor was kept for their own use?—I do not object to such a law, but I do object to the sale of liquor.

40085. You want to do away with sale and barter?—Yes.

40086. But would that not be an infringement of the personal liberty of the subject?—Not if a man used it in this way, so that it would not prove a temptation to others.

40087. You would require a man to get the liquor some where else than in the community where he lived, and you would not allow him to buy it here?—No; he could bring it in from elsewhere: he would have to bring it in from the United States.

40088. Or some other country than Canada?—Yes.

40089. In case of the passage of a general prohibitory law, you would not favour prohibiting importation?—No.

40090. In case of the enactment of a general prohibition law, a law prohibiting the manufacture, importation and sale, do you think it right that brewers and distillers should be compensated for loss of plant and machinery?—As regards machinery, I do not know; that is a question I have not studied.

40091. You understand that by statutory law and by departmental regulations those manufacturers have been required to introduce certain machinery, and from time to time it has been changed, and they are compelled to conform to those regulations. The manufacturers have also been required to keep in stock two years their liquor for rectification purposes. In case of the passing of a law that would prohibit their business altogether as regards manufacture and sale, would you think it right to remunerate them for loss of machinery and plant?—For machinery and plant, I certainly would say they should not be compensated. As regards the liquor in stock, I think they should be paid for that.

40092. Would you think it better to give them sufficient time to dispose of their machinery, plant and stock?—I would pay them for it.

40093. And you would put the law in force immediately?—Yes.

*By Rev. Dr. McLeod :*

40094. As a business man, have you noticed the effect the liquor trade has on other branches of business in the community, such for instance as the dry-goods?—As regards my own business, I can speak more positively than in regard to other branches. I know those who are the most temperate people, heads of families who do not drink, buy more and pay better. The more sober a community is, the better it is for a business like mine.

40095. Do you consider that the liquor trade as a rule interferes with other branches of business?—Yes.

*By Judge McDonald :*

40096. I suppose there are other matters too, although people deal more in your line of business I suppose?—Yes.

40097. Are there other means of recreation on which men might spend their money than on liquor?—Yes. Those who take recreation I think, however, are the ones who drink mostly.

40098. Do you know any persons who use intoxicating beverages and use them in moderation?—That is men who do not get drunk: I believe lots of people in Victoria do so.

40099. I suppose you have customers who do that?—I have all kinds of customers.

The Commission adjourned.



VICTORIA, November 13, 1892.

The Commission met this day at 10 a.m.

*Present :*

JUDGE McDONALD.

REV. DR. MCLEOD.

ROBERT WARD, of Victoria, merchant, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

40100. What is your business or occupation ?—I am a merchant, and I am a Justice of the Peace for the Province of British Columbia.

40101. Has a Justice of the Peace for the Province a larger jurisdiction than is possessed by an ordinary Magistrate ?—Yes, he is a Justice of the Peace for the entire province.

40102. And an ordinary Magistrate is only for the county or district ?—A great many are such.

40103. How long have you resided in this province ?—For 22 years.

40104. Did you come here from one of the other provinces originally ?—I came here from England.

40105. What jurisdiction have you ?—Similar to an ordinary Justice of the Peace, and as Justice of the Peace, have occupied for some years the position of a Licensing Commissioner.

40106. In what section ?—In Victoria.

40107. Then you are one of the Licensing Board ?—I am not at the present time. A few months ago a special appointment was made by the Council for the Licensing Board.

40108. Have you travelled through the province ?—Yes.

40109. I suppose a license law has been in force in British Columbia since you came here ?—Yes. The license law in different parts has not been enforced. The license laws in the cities have been different from those in the districts: that is to say, that the licensing regulations for the City of Victoria are not the same as those for the district.

40110. Taking the license law in the different districts, does it appear to work satisfactorily ?—With respect to the City of Victoria, the recent Act passed by the Legislature works more advantageously to everybody than any previous regulations have done. I consider that the present law as adopted in the City of Victoria is practically local option.

40111. It was stated yesterday that some difference was made between hotels and other places selling liquor, owing to the recent amendment of the Act ?—Yes. The practice of the Commissioners has been to favourably consider applications for licenses, but they have had to be satisfied that proper accommodation has been furnished by the applicant before the license was granted, and of course they take into account the character of the applicant himself. With respect to saloons it has been considered for some time past that there are enough in the city, and so no applications for saloons have been considered, not on account of disorderly conduct on the part of the applicant but simply because the Board thought there were enough in the city.

40112. You appear to have five classes of licenses here ?—I believe that is so.

40113. The classes appear to be hotels, restaurants, saloon, wholesale, and bottle ?—Yes.

40114. Is there any difference between a saloon and a restaurant further than that the restaurant provides meals, and in a saloon meals are not necessary?—In a saloon drinking can take place at a bar or in a room adjacent to the bar. In restaurants liquor must be served with the meals. There has always been a difference.

40115. In a hotel may liquor be served at the bar and also at the table?—Yes.

40116. So the hotel license is the fullest kind of license, that is to say that liquor can be sold in more different modes than elsewhere?—Yes. The license fee is larger I think.

40117. Are licenses issued by the Provincial Government to breweries?—No.

40118. That is entirely a Dominion license I suppose?—They come under the Inland Revenue Department of the Dominion Government.

40119. No attempt has been made to impose a provincial or municipal license on them?—Not to my knowledge.

40120. From your experience are there any amendments that you could suggest to the license law as it is at present?—At the recent session of the Legislature an Act was passed amending the Liquor License Act with respect to provincial licenses, and that amendment had for its object the closing of saloons on Sunday. I may say that that Act applies to the whole province. I believe that Act is working most satisfactorily in Victoria. I do not know, but I am under the impression, that not more than one or two convictions have been obtained under the Act for infringement of the law. In the district I think last May, 14 prosecutions came before me, sitting as Magistrate for the district, for infringement of the law on Sunday. But the old point came up as to what was a *bona fide* traveller, and, although we convicted each of the defendants, yet upon an appeal to the Supreme Court the convictions were quashed, simply because the Court above considered that those men who obtained liquor were *bona fide* travellers. I think the Act should be amended so as to clearly state what is a *bona fide* traveller. In other respects the Act has worked satisfactorily as a whole. With respect to the conduct of the saloons in Victoria, I must say that at every meeting of the Commissioners which I attended, I made a point of inquiring from the police whether the saloons were well conducted, and I do not recollect one instance in which prosecution has taken place for carrying on a disorderly house, except in the case of the Standard Theatre, which was a music hall in which drinking was carried on in a very loose sort of way.

40121. Was it a licensed house?—It was a house that obtained a license originally as a saloon, and subsequently it was turned into a low class music hall, and I am afraid worse than that. The Commissioners took the matter up very strongly and eventually succeeded in getting the place closed. I do not think there is any place to-day in Victoria of the same character.

40122. Have you reason to believe that illicit sale prevails to any extent?—No, I have no reason to believe it. Of course I do not know whether you refer to selling liquor to Indians.

40123. No. I am speaking of selling liquor without licenses?—No, I think not. I have never heard of any convictions, and certainly no case has been brought to my attention.

40124. In regard to selling liquor to Indians, what have you to say?—I have had a good deal of experience in dealing with cases of that kind. In most cases where liquor has been given to Indians we have found a tendency to supply them through the most profligate; some were Half-breeds and some Chinese who supplied the liquor.

40125. Those then are not men who have licenses?—They have no license and they are dealt with under the Indian Act, the penalties under which you are aware are very severe. You have asked whether licensed houses have been very orderly conducted or not, and I may say the instances are very rare indeed that I have never known of any case in which the holder of a license has been prosecuted for keeping a disorderly house. In districts where I have acted one or two isolated cases have come before me.

40126. Have you had any complaint made to you about the quality of the liquor found in licensed houses, whether it was adulterated or not?—No, I never heard of any such case. Of course in regard to the liquor supplied to Indians, the liquor is impure, as it is generally secured from vendors who doctor it.

ROBERT WARD.

40127. Do you think that at the present time it is desirable that frequent and strict inspection should be made of liquor?—I think such protection is very desirable indeed. It is only just to the purchaser that he should get the quality of liquor he asks for.

40128. A suggestion was made to the Commissioners yesterday, that while our own distillers were required to keep liquor a certain length of time for purpose of rectification, foreign liquors were allowed to come into this country without there being any evidence that they had been so rectified, and it was suggested that there should be legislation by the Government, to require that imported liquor should be all of the same quality as home-made spirits?—With respect to the importation of foreign liquor, I may say that upon the arrival of such liquor at the Customs house they are dealt with, and tests are made as regards the strength of the liquors and their quality is gauged before they are placed in bond.

40129. Do you know that this is done?—Certainly.

40130. Are any of the cases opened?—There is a case from every consignment taken to the appraiser's office. In the case of claret or any other intoxicating liquor one sample is taken from each case, and on the wharf before the liquor is allowed to go into a bonded warehouse it is treated in that way.

40131. The Commissioners have had evidence, I think at Montreal, that a quality of brandy, so called, is imported that is stated by the wholesale dealers to cost \$1.40 a case of two dozen bottles and it was suggested that when you take into consideration the original expense of the liquor, the bottles, capsules, labels, straw-wrapping, box, etc., cost of freight and duties, it must be a very inferior article. Subsequent evidence shows that the liquor was made of the cheapest kind of alcohol, manufactured in Germany; from potatoes. Can you inform the Commissioners whether such liquor is brought in here?—Not from my own knowledge; but if such cases occurred in this province they could be treated and dealt with as for obtaining money under false pretenses. If a man sells me a case of brandy, it should be brandy.

40132. But this transaction would occur in ordinary trade, and of course it could be contended that you could not expect to get for \$1.40 two dozen bottles of real brandy?—I should hardly look upon it in that way: it is cheating, it is obtaining money under false pretenses.

40133. These transactions are going on in the ordinary trade in the eastern provinces?—In my opinion such cases should be dealt with very severely.

40134. You do not know of any such liquor being offered for sale here?—I think you should obtain information from those experienced in the trade. I think the saloon-keepers throughout the country should be examined on the points, because these are matters which I cannot speak about from personal knowledge.

40135. Have you had any experience of a prohibitory law?—Not directly. I remember in Alaska, the territory to the north of this country, some years ago there was a large trade going on between British Columbia and Alaska, in fact there was a large trade with nearly all points on the Stickeen River and Puget Sound in the illicit whisky business. I have known cases where liquor was smuggled in casks of butter, small kegs of whisky being inside. The butter was melted and poured around the small keg, and it would be concealed and shipped as butter.

40136. Have you considered the question of prohibition as a principle?—Yes, I have.

40137. Do you think, from your experience and knowledge of the people here and the knowledge you possess of British Columbia, that if such a law were passed, it could be enforced in this province?—I do not. From what I have seen of the North-west Territories of Canada, and I have passed through the Territories frequently, I am satisfied that there was more sale of liquor and a great deal more drunkenness than if such a law had not been in force.

40138. In the event of the enactment of a general prohibitory law, do you think there would be much smuggling?—I think there would be a very large amount of smuggling, in fact I have been informed, although it is scarcely evidence, in the course of conversations with many residents of those Territories, that smuggling was carried on to a very considerable extent, and was a matter of common occurrence.

40139. Are you troubled with illicit stills in this province?—No. A few years ago there was a case in Saanich district. I believe that was the only case within my



recollection. That case was taken to the assizes and the case was a failure, although there was no moral doubt that there was a still there.

40140. Suppose a prohibitory law were passed, to prohibit the manufacture, importation and sale of intoxicating liquors for beverage purposes, do you think it would be right and proper that remuneration should be given to brewers and distillers for their loss of plant and machinery?—I did not understand that if such a law were passed it would deal with brewers.

40141. It would prevent brewers and distillers from manufacturing. The question I asked you was, whether they should be remunerated for their loss of plant and machinery rendered useless?—Most decidedly. I think liberal remuneration should be made.

40142. Supposing a national system of prohibition was brought into force, that is a law prohibiting throughout the Dominion the manufacture, importation and sale of liquor for beverage purposes, a law that would prevent any one making liquor or bringing it in for private use, the only exception being liquor brought in for medicinal, sacramental and mechanical purposes, do you think such a law could be enforced?—No. I think you would have brought about the most cumbersome piece of legislation ever enacted. Further, I think if such a law were passed, the Dominion Government would have to provide and maintain a fleet of revenue cutters along the coast, which would be a great expense.

40143. What would be the effect as regards transcontinental travel, if tourists and others had to submit to having their baggage and even their persons searched?—I think it would be a great disadvantage, and the law would be violated if such were the case. I am making this statement from what I know of the North-west Territories. I have travelled with tourists, who complained years ago most bitterly of the interruption to travel in the North-west Territories, and some of them declared their decided intention not to travel that way again. I may state in passing, that I travelled though Calgary three years ago. I was in bed on the cars, when I was rudely shaken up by some one. I looked out and said, "What do you want?" Some one said "Have you got any whisky here?" I said "No. What have you to do with it." He replied "I am a police officer." I asked him where his uniform was, and he said "That is all right." I asked the conductor about it, and when we looked again, the fellow had disappeared. I was informed that that was by no means an isolated case. I was travelling in North Dakota a short time ago, where as you know prohibitory law was in force. That law is most rigidly enforced in the dining-car. So long as you are in the State, liquor cannot be obtained. I did not make any inquiries, but the law certainly does not seem to be violated, although I was informed that you could get all the liquor you wanted.

*By Rev. Dr. McLeod:*

40144. Speaking about the policeman who disturbed your slumbers in the Pullman, did he wear a uniform?—He did not; that was the reason I complained.

40145. Do you know whether it was an officer on duty who was trying to get liquor?—He may have been both, because the conductor informed me that it was a very common thing for policemen on pretense of carrying out the law, to try and get whisky.

40146. Do you suppose that that was one of the reasons why prohibition was not more rigidly enforced in the North-west Territories?—I am not in a position to reply intelligently to that question, because I have not lived in the Territories, and I had no opportunities of observing the working of that law. I have only stated what has come under my personal observation in passing through the North-west Territories.

40147. As a merchant, you have some knowledge of the laws and the modes adopted for their enforcement?—Yes.

40148. Do you know whether the right of search is carried in other matters than as regards liquor?—In what way?

40149. For instance: do the revenue officers not search the baggage of people to see whether they have contraband articles?—They do.

40150. Is that different from the search for whisky, and if different, in what way?—It is not different. The course or procedure is as follows: on the arrival of any ship

ROBERT WARD.



or steamer the custom officers are present, and ask passengers whether they have any contraband articles or any articles liable to duty. I think liquor would be included in those articles.

40151. Then would the course pursued by the customs officers in the event of a prohibitory law be different from the course pursued by them now, when they believe that smuggling is being attempted?—I should say, no. Perhaps there would be a much more stringent examination, but in my opinion there would be less intoxicating liquor brought in in that way under such a law.

40152. Do people object now to search of baggage for contraband articles, for jewellery and the like? No, because they know it is the law, and it is more rigidly enforced in the States than on this side.

40153. If the people knew the other was the law would they object to it?—I do not think they would.

40154. You spoke about North-west prohibition and the excessive drinking there. How long were you there?—I never made any lengthy stay there, but I just passed through four or five times and I had many opportunities of conversing with residents of the Territories; in fact, on my recent visit to England, I was with a gentleman from the Territories for many days.

40155. Did you learn from residents of the Territories that the permit system had anything to do with the non-enforcement of the prohibition law?—I have heard that the permit system was a good way of getting liquor, and that it was a relief after the prohibitory law.

40156. Do you think from what you learned of the permit system that it was rather one of permission than prohibition?—I think it was one of permission.

40157. Do you think the prohibition in the North-west Territories was a fair test of a prohibitory law?—Judging from conversations I have had, I should say, decidedly, yes.

40158. Having in mind that the permits were issued generally and indiscriminately? I cannot say that from my own personal knowledge, but I have heard that it was not very difficult to get permits.

40159. Do you think the social drinking causes more drinking than legalized drinking?—I can scarcely give an intelligent reply to that question. I am afraid there is a good deal of social drinking going on throughout the world. There was in London, recently, a great conference respecting social drinking and drinking amongst women.

40160. That is social drinking, in what sense?—Drinking in houses and in other places than in public bars or houses.

40161. Not drinking against the law?—No; because there is no law to prohibit drinking.

40162. I think you said that the license law in Victoria was practically local option?—In my opinion it is.

40163. Will you please explain how that is?—I will do it in this way: If an application is made to the Commissioners for a license for an hotel or a saloon—we will take the case of an hotel—the application must be accompanied by a petition signed by a very large percentage of residents living in the block in which the applicant proposes to have his hotel; and more than that, if you will look at the Act, which I presume you have before you, a requisition is also necessary from the ratepayers and property owners on the opposite side of the street. Of course it is very difficult to get signatures, and I have from time to time sympathized with applicants on their having to present a document which has been a pretty troublesome matter to procure. The Commissioners have gone into these applications very carefully. In some cases they took days to consider them, and it really rests with the people themselves to decide whether the license shall be granted or not.

40164. Is it not a fact that there is a license in Victoria which cannot be revoked?—I think not.

40165. The Commissioners were informed yesterday that there were licenses attached to certain premises, and that these might be transferred from one place to another, and that the licensees of those places have not to comply with the provision to which you have referred?—The custom has been that in case of old licenses, the

license remain with the holder so long as he behaves himself and conducts his house satisfactorily. If he wishes to dispose of his saloon or hotel, as the case may be, he must make application to the Court, in this way: he must advertise his application, stating that he proposes to transfer the license now held by him. Then the application must be deposited with the Clerk for, I think, 14 days. At the sitting of the Court the application comes up for consideration. They consider the application and the character of the transferee just as carefully as they do an application for an original license; so, unless the man is a respectable man who, in the opinion of the Court, is fit and proper to hold a license, the application is not granted. It is wrong to say that any license holder can hold his license absolutely and without danger of its being revoked.

40166. Unless he violates the law?—If he is reported against, the Commissioners will revoke the license.

40167. But there are not many violations of the law?—No. As a class the saloon and hotel-keepers are a respectable lot of men.

40168. Have you reason to believe that illicit sale takes place?—I have no reason to think so.

40169. Have you reason to think that it does not?—From my personal knowledge I know of no illicit selling beyond that of sale to aborigines in the district occasionally, and I must say that that crime has been on the increase latterly.

40170. Still you did have certain convictions, fourteen, I think, you said?—Yes, fourteen convictions: they were all, however, infractions of the new Sunday law.

40171. They were quashed?—They were quashed: but the law can be amended by simply inserting a clause defining a *bona fide* traveller.

40172. Is it your experience, as a License Commissioner, that convictions for illicit selling are generally quashed in this province, when they go on appeal to the Supreme Court?—Certainly not. I take it that if a conviction is quashed or upheld, it is simply a matter of law and not of fact.

40173. You, as a Commissioner, and the Board had no doubt whatever that violation took place in those fourteen cases?—I may state that the Commissioners had nothing to do with this matter. I was sitting as Magistrate, and I and my brother Magistrate who sat with me, came to this conclusion: the law does not define what is a *bona fide* traveller, therefore it is left to the Magistrate to decide whether those people who obtained liquor were *bona fide* travellers or not. We decided that they were not, and therefore convicted them.

40174. Do you think, as a License Commissioner, that it would be an improvement in the license law if licensed places were obliged to close at night?—At what time?

40175. Say from 10 or 11 o'clock until the next morning?—I have always been of the opinion that they should close, decidedly so.

40176. I suppose they are not required to close at all except from Saturday night until Monday?—I believe that is the case.

40177. They can be open all night other days?—Yes.

40178. Would it be an advantage if there was a certain hour for closing fixed?—There is such a law in Great Britain, and it is most rigidly enforced and answers very well.

40179. And it is also in every other part of the country where the license law is in force?—Yes. I do not see the use of keeping saloons open all night; people do not want to drink all night.

40180. Does the trade need to be regulated?—Yes.

40181. Why?—I think it should be regulated simply because it is one of those peculiar trades which requires to be carefully watched in order to keep it in proper order.

40182. What is its peculiarity?—Its tendency is to excessive drinking, that is one of its glaring peculiarities.

40183. You have stated that drunkenness is the result of the drink trade?—I do not see how it could be otherwise.

40184. You are a merchant, I believe?—Yes.

40185. In what line?—I am a shipping merchant, a commission merchant and an insurance agent.

ROBERT WARD.

40186. Are you an auctioneer?—We are financial agents.

40187. Do you receive consignments of liquor as a commission merchant?—If I received a consignment of liquor I would turn it over to somebody else, for I do not deal in liquor. I may say that many years have elapsed since I as a commission merchant handled liquor; in fact I do not hold a license.

40188. But commission merchants handle liquor, I suppose?—A commission merchant who handles liquor must have, in addition to his license as a merchant, a special license for liquors.

40189. Do merchants here hold licenses?—Yes, you will find a list of licensed trades, etc., in the Municipal Act. The wholesale merchant pays so much, I think \$100, the retail merchant pays less and the different trades are classified.

40190. Then the amount of licenses is distinct?—It is a special matter.

40191. May I ask you why several years ago you went out of the liquor business?

JUDGE McDONALD.—Witness, you can use your own discretion in regard to answering that question.

WITNESS.—It is a personal matter, but I have not the least objection to answering that question.

REV. DR. McLEOD.—You did not need the protection of the Chair, then?

WITNESS.—I thank the Chairman for his action, because that is a matter personal to myself. It was very kind of him to state that it was a personal matter, for of course I might have had personal reasons for not answering the question. But, as it is, I have no personal reasons. It was simply a trade in which I took no personal interest, and not having any interest in it, I knocked it off as a branch which we did not intend to follow.

40192. My purpose in asking that question was to ascertain whether your course might be regarded as indicating a change in public sentiment in regard to the liquor trade?—None whatever. It was not that at all. It was simply because it was a business in which I took no interest, and I never had any fancy for it.

40193. Have you, as a business man, observed how the liquor traffic affects various interests connected with it: for instance, the social life of the people. Does it affect those interests beneficially or injuriously?—Considering the number of drunks brought before the court, I do not consider that socially there is any serious injury done to the community. Comparing large cities with small, I do not think that Victoria has an unfavourable record in that direction.

40194. Does the liquor traffic materially elevate people?—That is a question which I am perhaps unable to answer. I cannot search into a man's conscience or into his feelings, and I do not know how it affects the moral feelings of the people who drink. If a man drinks to excess, it is to be regretted very much.

40195. Does the drink trade affect the moral condition of the community at large?—I should say not. I do not think drinking is carried on in this city to an extent that such an effect is produced on the community in any way.

40196. Does it affect injuriously or beneficially the other branches of business in the community?—That is a very far reaching question too, because all matters of trade by which money is circulated must benefit every one more or less, and of course it is difficult to say where the circulation of that money will end.

40197. Does the liquor trade circulate or absorb money?—I should say both.

40198. Which chiefly?—It absorbs a certain amount of money which drinking men pay into it; but, on the other hand, the money must be circulated.

40199. By whom?—By the persons who receive the money for a man's liquor. I do not assume that they keep it in a stocking.

40200. Does the liquor trade circulate the money as freely as the people would do if they did not patronize the liquor trade?—I think the man who sells liquor or anything else if he makes money, and is intelligent, will use the money so as to benefit himself, while at the same time it benefits the community.

40201. Have you observed whether any proportion of the poverty of the community is traceable directly or indirectly to the liquor trade and the liquor habit?—I cannot deny that poverty and crime may result from excessive drinking, but in my opinion I do not think that sort of thing prevails in the majority of cases, only in individual cases.



You are bound to have in any community cases where drink has brought the drinker to poverty ; that, of course, cannot be denied.

40202. Is that of the same character ?—I believe excessive smoking has very similar effects ; I do not go in very much for smoking myself.

40203. Do you think excessive smoking produces the same effects as excessive drinking ?—No.

40204. Then do you know any other trade producing the same effects that is legislated for and protected in this country as is the liquor trade, speaking broadly ?—I must ask you to speak broadly, as regards the effects to which you refer.

40205. The effects you have in your mind yourself, as to the liquor trade being a peculiar trade needing regulation ?—You ask me whether I know of any other trade that requires regulating the same as does the liquor trade ?

40206. Yes.—I could mention all articles of food, for instance : the adulteration of food and such things are matters that receive as much attention.

40207. Is there any other trade that submits to the same regulations and restrictions ?—I think so. The general trades of the Dominion have to submit to regulations. Take the case of any class of goods. They are all required to pay duties, and they have to go through certain forms on being imported, and persons to sell those goods have to pay licenses. I know there is not so much difficulty about obtaining a license to sell soap, if that is the point you wish to get at.

40208. I want to see the difference between those trades ?—Yes : perhaps the sale of linen is not so profitable as the sale of liquor.

40209. Do you put the soap trade and the liquor trade on the same basis ?—No, they are different trades.

40210. Why is the liquor trade under regulations which do not obtain against the soap trade ?—I have already given an answer to that question.

40211. Is it a peculiar trade ?—Yes, it is a peculiar trade.

40212. Is it peculiar because it produces peculiar effects ?—I have said that the liquor trade requires to be regulated, and I have always maintained it, because it is surrounded by incidents which crop up from time to time and which require to be watched carefully by the authorities in order that the trade shall be properly and respectably conducted, smuggling, etc., disorderly conduct on the part of the holder of the license, and permitting disorderly conduct in the house of the licensee.

40213. So the drink trade produces disorders which are not produced by other trades ?—I deem that the liquor trade, unless properly regulated, might drop into that.

40214. Does the license system regulate the trade ?—I think so.

40215. Why, then, are disorders produced ? I do not say that there would be no disorder, although, as I said, I do not recollect in my experience of any conviction being passed for disorderly conduct in a bar-room or licensed house in Victoria.

40216. Do you assume that because there has been no conviction for disorder in a bar-room, there is none in bar-rooms ?—I must assume that, because, as I told you, whenever I have been on the Licensing Board I have always made it a point to put questions to the policemen upon that very point, and the Superintendent of Police, if he were here, would no doubt confirm my opinion on those matters, because I have been very particular in regard to them.

40217. Your objection to prohibition, I understand, is to the principle : you do not approve of the principle ?—I believe that by enacting a prohibitory law there would be more drunkenness in this province.

40218. You think prohibition would be conducive to drunkenness ?—I think so. My object, and I say it once again, is, looking at both sides of this very great question, to see that this trade is so regulated as not to be an offence one way or the other.

*By Judge McDonald :*

40219. You have been asked to draw a parallel between this trade and the soap trade.

REV. DR. MCLEOD.—The witness suggested the soap trade.

ROBERT WARD.



*By Judge McDonald :*

40220. I presume unless the liquor traffic was a peculiar trade, a Commission under the great seal of Canada would hardly be appointed to investigate it, and travel all over Canada?—Exactly. In fact I may explain my ignorance by saying that I did not know that such a Commission was appointed, until we read it comparatively recently in the newspapers.

40221. In January, 1891, the House of Commons passed a resolution in favour of such a Commission being appointed. It was certainly considered that the liquor trade required to be investigated as to its surrounding conditions?—Yes.

40222. Taking the people of British Columbia as you know them, is the proportion of the people that drink to excess large or small?—Very small.

40223. We should be pleased to receive any suggestions that you could make in regard to the liquor trade.—I think my examination has fully covered the points on when I should have spoken had I had time personally to consider the question. I only received the summons yesterday, and I certainly gave no serious consideration to the questions which might be personally asked me. I only jotted down a few notes this morning. I think you have touched upon all of those points, but I should be very glad, if it is considered desirable, to give further evidence and testimony.

ALEXANDER CHOQUETTE of Fort Wrangell, Alaska, U.S.A., on being duly sworn, deposed as follows :—

*By Judge McDonald :*

40224. What is your business or occupation?—I am a trader with the Indians.

40225. How long have you lived at Fort Wrangell?—Five years.

40226. Where did you live before you went there?—On the Stickeen River, British Columbia.

40227. Where did you live before you went to the Stickeen River?—I lived in Victoria a couple of years.

40228. And where did you live before that?—In California.

40229. You are a Californian?—Yes.

40230. What law is in force at Fort Wrangell in regard to the sale of liquor : is there any law allowing liquor to be sold there?—No.

40231. Is it contrary to law to sell liquor there?—Yes.

40232. Can liquor be obtained there?—Yes. Almost all the time.

40233. What kinds of liquor do you obtain?—All kinds, Jamaica rum, brandy, gin, whisky and all kinds.

40234. Do the people use those liquors?—Yes, they do.

40235. How do they get them if it is against the law to sell liquors?—That is more than I can tell you.

40236. Have you seen those liquors there?—Yes.

40237. Is liquor openly sold?—Yes.

40238. How large a place is Fort Wrangell?—There are few white people there, about 30 all told.

40239. Are there any stores?—There are four stores.

40240. Is liquor sold in the stores?—No.

40241. Where is it sold?—In the saloons, there are three saloons.

40242. Do they sell liquor to other than to white people?—Not that I know of.

40243. Is there no floating population passing through the territories?—Yes, there are a great many.

40244. Do the saloons sell to them?—Yes.

40245. By the glass?—Yes.

40246. What is the price of liquor there?—25 cents a drink.

40247. Are there many stores?—There are 15 stores.

40248. Is the liquor sold of good quality?—Very good.

40249. You do not know where it comes from?—No.

40250. Is there no Customs-house?—There was formerly a Deputy Marshal, but there is none at present.

40251. Does nobody look after the enforcement of the law?—There is a Commissioner.

40252. What does he do?—He looks after anything of that kind: he attends to all the troubles that occur.

40253. Does he try to stop the sale?—Yes.

40254. Can he not succeed in doing so?—He has never done it yet.

40255. Do you know any other place in Alaska territory?—There is Juneau.

40256. Have you been there?—Yes.

40257. How large a place is it?—There are 16 stores.

40258. Any saloons?—About 14 or 15.

40259. Do they sell liquor?—Yes, openly and over bars.

40260. Are there no officers there?—There are Deputy Marshals.

40261. Cannot they enforce the law?—It appears not.

40262. Do they try to do so?—They have tried several times, but they have not stopped the trade.

40263. Are the people who live in the town mostly people who take whisky?—They are mostly people who take it: most of them are miners.

40264. Are most of the people at Fort Wrangell people who drink?—Yes.

40265. Then there are very few out of the 30 whites who do not drink?—Yes.

40266. Are there any other important places in Alaska?—There is Sitka, the headquarters for Alaska traders.

40267. Have you been there?—Yes.

40268. Is liquor sold there?—Yes.

40269. Is no effort made to stop the sale?—There have been many efforts to stop it by Deputy Marshals, and they have tried to stop the sale of liquor to Indians.

40270. Do you think the United States officials have honestly tried to stop the traffic?—Yes, I really think so.

40271. Do you think they are unable to do so?—They are unable to do so.

40272. What is the popular sentiment about the sale; do the people wish liquor to be sold?—They wish to have it sold.

40273. There is no license law, of course?—No.

40274. The law is a prohibitory one?—Yes.

40275. Then people should not sell, of course?—Yes.

40276. Is there much sale of liquor to Indians?—That I could not tell. The Indians manufacture most of their own liquor.

40277. How do they manufacture it?—With molasses, hops and other articles which cause fermentation.

40278. What appliances do they use?—They use small stills, which they make themselves.

40279. Of what are those made?—Of tin.

40280. What kinds of liquor do they make?—Very good liquor; it is water and molasses.

40281. Is it very strong?—Yes, and powerful.

40282. What effect has it on them?—It makes them like lunatics.

40283. Is it palatable?—Yes, but of great strength. I have tasted it myself and so I know what it is.

40284. Did you find it very strong?—Yes.

40285. Do you know whether any of this liquor has ever been analysed by the local analyst?—No, I do not think it has.

40286. I should like to be able to submit some of this liquor to the Government analyst. I could easily send some to the Commission.

40287. The Commission will be very glad if you will send a sealed bottle?—Yes: I can get a bottle at almost any time.

ALEXANDER CHOQUETTE.

40288. How is the condition of the people inland, back from the coast?—There is Telegraph Creek, and there is a house there that sells liquor.

40289. Is it near the United States?—It is in British Columbia; it is a licensed house.

40290. Have you been in the northern country beyond British Columbia, on the northern boundary?—I have never been further than Chilicat River and Glace Bay.

*By Rev. Dr. McLeod :*

40291. Is sale to Indians prohibited?—Yes.

40292. Does anybody sell to them?—I never could tell, but it is supposed they do, because we occasionally find intoxicated Indians.

40293. Do the officers who are supposed to enforce the law also drink?—I do not know.

40294. What makes it impossible for the officers to enforce the law; what obstructions do the people present?—The enforcement, of course, depends on the officials sent from Washington. They are sent over to fill positions, and they do not care whether they carry out their instructions or not.

40295. You mean so long as they get their salaries?—Yes; they come to that country to make money more than anything else.

*By Judge McDonald :*

40296. We have it in evidence to-day that liquor is sent to Alaska in cargoes of butter. Have you seen anything of that?—Yes. A great many years ago it came in corned beef barrels. They could put 10 gallons in a barrel of corned beef.

40297. Do you mean spirits?—Yes.

*By Rev. Dr. McLeod :*

40298. I suppose if there was corned beef there would be corned Indian and corned trader and the like there?—Yes.

NOAH SHAKESPEARE, of Victoria, on being duly sworn, deposed as follows:—

*By Judge McDonald :*

40299. What position do you occupy?—I am Postmaster of the city.

40300. How long have you lived in Victoria?—I arrived here in 1862.

40301. From where?—From England.

40302. When you came here, I suppose a license law was in force?—Yes.

40303. Has it been in force ever since?—Yes.

40304. How does it work?—Of course the license law has been changed from time to time since then.

40305. Take it as it is now: does it work satisfactorily?—As a license law it works all right, I presume.

40306. Are you yourself favourable to license?—I am not.

40307. Are you favourable to prohibition?—Yes.

40308. As a principle?—Yes.

40309. Are you opposed on principle to the licensing of the liquor trade?—Yes.

40310. Do you think it wrong?—I do.

40311. If you could not have prohibition I suppose you would prefer license to untrammelled sale, or would you rather have untrammelled sale?—If I could not have prohibition, I would take the next best thing.

40312. Do you think license the next best thing?—I presume if there was no prohibition, there must be license.

40313. Not always. Charlottetown has neither prohibition nor license. The people repealed the Scott Act, and the present Legislature would not pass a license law. The

consequence is at Charlottetown there is unlimited sale, subject to police regulations, and the men may sell without paying a fee. Prohibition would be your first choice?—Yes.

40314. Take license or untrammelled sale, which would you prefer?—Limiting the number of licenses.

40315. And having a certain fee?—Yes.

40316. So you look upon license as the next best thing to prohibition?—Yes.

40317. To regulate the trade?—Yes.

40318. As regards the regulation of the trade in this country, from your observation and experience could you suggest any amendments to the present law?—The law as it existed last year was better, in my opinion, than it is this year. Last year it was really local option, but at the last session of the Legislature an amendment was introduced to the Municipal Act, which provided that in cases of hotels having rooms numbering 30, it was not necessary for them to get a certain percentage of people in the block around the hotel to sign a petition to have the license granted. They simply make application to the Licensing Board, and it is left to the judgment of the Board whether they shall be granted a license or not. That, I think, is a step backwards.

40319. You think a retention of the old law requirement by which a certain number of signatures were required is better?—Yes, in order that the people should have a voice in saying whether a license should be granted or not in a particular locality.

40320. You say there is a special regulation with regard to hotels that have 30 rooms or more?—Yes.

40321. Was that intended to make it easier for hotels that had a large number of travellers and tourists?—It was made, I think, in the interest of the liquor trade.

40322. It is limited to those places, I suppose?—Yes.

40323. How many such hotels have you in Victoria?—There are 3 such hotels at least that make application for license.

40324. I suppose to a certain extent one of those hotels is favoured at the extent of another?—Yes.

40325. That is to say that an hotel with 25 rooms must fulfil certain requirements while an hotel with 31 rooms has a better position?—Yes. The applicant for a simple license for his house is obliged to go through certain forms and is compelled to obtain a certain percentage of the names of people in the block in which the building is situated for which a license is sought.

40326. You are not a member of the Legislature, I suppose?—No.

40327. You have no knowledge as to the reasons put forward for this change being made?—No, because I am not a member of the Legislature.

40328. Have you reason to believe that there is much unlicensed sale in this city?—I have no reason to believe it.

40329. In case of the enactment of a prohibitory law for the Dominion, a law to prohibit the manufacture, importation and sale of alcoholic liquors for beverage purposes, do you think it would be practicable to enforce such a law?—My own opinion is that the people of British Columbia are not in favour of it.

40330. Then do you believe, supposing such a law were passed for the whole country, and the people of British Columbia were not in favour of it, the tide of public opinion would set in against the enforcement of it?—I think so.

40331. In case of the enactment of such a law, do you think that brewers and distillers should be compensated for their loss of plant and machinery?—That is a question that has been talked over a good deal. I must say that my own feeling is, and I cannot get away from the impression, that some remuneration should be made to those persons who have erected buildings and put in expensive machinery as required by law.

40332. We understand that the law requires distillers to keep their stock for two years for purposes of rectification?—Yes.

40333. And are also compelled to carry out certain departmental regulations and to provide machinery from time to time, and that this may be changed from time to time by order of the department?—Yes.

40334. It has specially been in regard to compensation for plant that this question has been put.—Yes.

NOAH SHAKESPEARE.



40335. You think a fair remuneration should be made?—Yes.

*By Rev. Dr. McLeod :*

40336. During the 30 years you have been here, have you noticed any change in the drinking habits of the people of this province? Yes. I think the temperance sentiment has gained in the province especially, during the last 6 or 7 years.

40337. You have said that you do not think the feeling of the people is in favour of prohibition. Do you think the feeling in favour of it is growing?—I think so decidedly.

40338. I understand you are a License Commissioner?—Yes.

40339. Does the fact come to the attention of your Board that licensees are violating the law to any extent, the Sunday law for instance?—No. Since the law has been in force there have been two cases on which I as one of the Justices of the Peace sat, and in both convictions were rendered. Those are the only two cases I know of, except those cases to which Mr. Ward has referred.

40340. Were the convictions quashed?—The cases were appealed and were quashed in the higher court.

40341. Mr. Ward thinks that under the present law Victoria has practically local option. You appear to differ from that opinion. Do you think the amendment made last session to the law was not in the direction of local opinion?—Not to the extent we had it last year. I presume Mr. Ward did not remember the amendment; he had probably forgotten it.

40342. Is the system the same, except with regard to hotels having 30 rooms?—Yes, I think so.

40343. Are we correct in our impression, at least it is my impression, that there are certain premises licensed, and that the licenses are in perpetuity unless some violation occurs? Mr. Ward seemed to have a different opinion.—There is no question about it. If a person has obtained a license it is kept on for all time, unless some charge is brought against the licensee for violation.

40344. Do you know of any case in which the license has been taken away from the licensee?—I know of none, except the case of the theatre to which Mr. Ward has referred.

40345. That was last year I believe?—Yes.

40346. Do you think that, since such right of license applies to certain premises in perpetuity, there is a tendency to deal with such parties leniently even when they do violate the law?—I think that would be the tendency.

40347. Have the people under the present law no voice after the license is once granted?—No, unless there is a violation of the law and the license would then be cancelled.

40348. Then that is the only thing?—Yes.

40349. Do you believe with your knowledge of Victoria, that if all those places were subjected to the local option clause of the license law, there would be fewer licenses granted than now?—Yes.

40350. Is there no way in which this condition of affairs may be remedied?—I think if licensed houses were compelled to apply for renewals every year, and the people had a voice as to granting those licenses, the number would be reduced very materially.

40351. Do you think there is any way of remedying this particular state of things except by obtaining the withdrawal of the license?—I suppose it could be done by legislation.

40352. Then, of course, the question of compensation would arise?—I do not know why it should, and it would be more through usage than anything else.

40353. How do you think such a state of things came to prevail here?—It came, I suppose, owing to no one interfering as regards licenses, and to parties holding licenses coming up at the end of the year and paying their fees and nothing being said about it. The practice has been kept on up to the present time.

40354. Are there any Chinese holding licenses?—Not that I am aware of.

40355. Do they take intoxicating drinks to any extent?—They have Chinese brandy, which some of them drink to some extent.

40356. Is it as intoxicating as whisky?—Yes.

40357. You say that they do not hold licenses?—Not that I am aware of.

40358. Have you observed during all your years of residence here the effect of the drink traffic and the drink trade on the social life of the community, whether it has been good or bad?—I think bad.

40359. And what has been its effect on the business interests of the province?—It has been against the business interests of the province in many respects. People have spent money in a way that they should not; and, of course, business has suffered gradually.

40360. Do you think a prohibitory law for Canada, fairly well enforced, would be beneficial to the business interests and social interests of the community?—I do not see why it should not.

*By Judge McDonald:*

40361. What do you mean by fairly well enforced?—If it is well enforced.

*By Rev. Dr. McLeod:*

40362. Do you mean enforced like other laws?—Yes.

*By Judge McDonald:*

40363. Looking at the very complete report of the Chief of Police of the city, in which he distinguishes offences committed by all other persons than Indians and Chinese during 1891, it appears that only one Chinaman was charged with being drunk and only one convicted for being drunk, namely, that one person. That fact conveys the idea that there was very little drunkenness among the Chinese?—The Chinese are very smart people. They not only escape the law in that regard but in many respects that the white man does not.

40364. You think that when they do drink to excess they do not come within the range of the police?—I think a great deal of their drinking is done in their homes.

JOHN M. LANGLEY, of Victoria, on being duly sworn, deposed as follows:—

*By Judge McDonald:*

40365. What position do you occupy?—I am Sergeant of the Government Police for the Province of British Columbia.

40366. How long have you resided in the province?—I was born here.

40367. Have you always lived here?—No, I lived 11 years in California in my younger days.

40368. How long have you been sergeant of provincial police?—Since 1889. Previous to that time, from 1883, I was deputy sergeant and a provincial police officer.

40369. What is the strength of the police force, how many men?—There are about 40 men throughout the Province.

40370. What are their duties?—To look after the criminal and liquor laws.

40371. Do you act in cases of crime committed, such as murder, burglary, assault, etc.?—Yes.

40372. Are you also a detective force?—Yes.

40373. Do you attend to any municipal cases?—No.

40374. Then you are really a provincial constabulary?—Yes.

40375. Do you take notice of breaches of the peace and anything of that kind?—Yes.

40376. Who is commander of the force?—F. Hussey is superintendent.

40377. Have you anything to do with the enforcement of the license law in Victoria?—Yes.

NOAH SHAKESPEARE.

40378. You assist the municipal police?—Yes.
40379. Do you look after the enforcement of the Act in the rural districts?—Yes.
40380. How many licensed places are there in the rural districts?—I could not say without referring to the books.
40381. Are there many?—Yes, there are a great many.
40382. Is Nanaimo within your district?—Yes, the district is.
40383. Is New Westminster a municipality?—Yes.
40384. How do you find the license law work?—Very well in the country districts.
40385. Can you suggest any amendments to it?—I can not.
40386. Do you at present find the restrictions and regulations of the law sufficient?—No.
40387. What others would you have provided?—The present law in regard to closing on Sunday does not work. We arrested quite a number of parties when the law was first enforced and obtained a few convictions, but they were upset on appeal.
40388. We understood from Mr. Ward that the questions arose on appeal as to what constitutes a *bona fide* traveller?—That was the point.
40389. Do you desire an amendment to that law defining what a *bona fide* traveller is?—That would be better.
40390. Did you find any of the persons to whom sale was made and who claimed to be *bona fide* travellers were people who would drive out of the city for the day, visit hotels in the country, get drunk and when their cases were prosecuted, they would plead they were *bona fide* travellers?—Yes.
40391. Did the court hold that such persons were *bona fide* travellers?—It did.
40392. I suppose you think that the law should be amended by the Legislature and a *bona fide* traveller should be clearly defined?—Yes; the law should be made clear one way or another.
40393. Are there any other points of difficulty with it?—No; that is all.
40394. Do you travel about the country a good deal?—I do, that is on Vancouver Island; I do not go on the mainland much further than to New Westminster.
40395. Are you favourable to the license system?—Yes.
40396. Are you in favour of prohibition?—I am not.
40397. Do you think if a prohibitory law were passed, it could be enforced?—I do not think so.
40398. In what way do you fancy it would fail?—If a man wants to drink he will get it.
40399. Have you fear of smuggling and illicit stills?—Yes.
40400. In case of the passage of a general prohibitory law, do you think it right that brewers and distillers should receive compensation for loss of plant and machinery?  
I do.

*By Rev. Dr. McLeod:*

40401. Do you think the license law, from your observation of it, really regulates the trade?—Yes.
40402. How did you account for those cases of violation and the convictions to which you have referred?—I think when people go into a country they should know something about the law, and when they go in to drink the saloon-keeper should have some idea as to where the visitor came from, and know that a man who does not travel over five miles has no right to obtain liquor on Sunday.
40403. You think that the saloon-keepers are aware that people drive out of the city every Sunday to obtain it?—Yes, I think they do.
40404. Is it your observation that licensees violate the law when they get a fair chance?—No, not always, some will not do it.
40405. Is there much drinking in the rural districts of the province?—No; there is a good deal among the Indians.
40406. Do they get it for the most part?—I have found latterly that they make it themselves.
40407. Do you know any licensees who sell to Indians?—There have been three or four convictions.

40408. Then the license law fails to regulate the trade in those cases?—Yes.

40409. Have you observed if it is true that if a man wants drink, he will get it during prohibited hours or not?—I think he will get it, if he wishes it.

40410. If he wants it on Sunday will he get it?—He will get a bottle. He will get a bottle before the saloon closes.

40411. Does he find some people holding licenses who will sell to him on Sunday too?—Not to my knowledge in this city. I believe there have been several convictions in the city, but I only know that from hearsay.

40412. You had no official connection with that?—No.

40413. Are you appointed by the Provincial Government?—Yes.

40414. What force have you?—Some 40 or 50 men; sometimes extra men are employed throughout the province.

40415. Do they work in concert with the police or individually?—They work individually.

40416. Do they make reports to the provincial authorities?—Yes.

NG. MOOK, of Victoria, on being duly sworn, deposed as follows:—

*By Judge McDonald:*

40417. What is your occupation?—I am at present manager of the Chin Chong Company of general merchants.

40418. How long you lived in Victoria?—Altogether about 15 or 18 years.

40419. Did you come from China originally?—Yes.

40420. What province?—Canton.

40421. Are liquors sold there?—Yes.

40422. Is a license law in operation there?—No, there are no licenses there.

40423. Do the Chinese in Victoria take out licenses to sell?—Yes.

40424. Are they men who sell liquors?—Yes, most of them sell Chinese wine, which they import.

40425. Are there any Chinese saloons here selling liquor by the glass?—No. They only sell by the gallon.

40426. Are they wholesalers?—Yes.

40427. Do they sell Chinese wine?—Yes. Chinese wine is distilled from rice.

40428. Are you well acquainted with the Chinese people in this city?—Yes.

40429. Will you please state to the Commission whether they are a sober people?—I think they are.

40430. Take the people in China itself: are they sober?—Yes; I think they are, as a whole.

*By Rev. Dr. McLeod:*

40431. Does your company sell liquor?—Yes.

40432. Do you sell much?—Not very much.

40433. Do you sell in quantities of less than one gallon?—No.

40434. Do you sell any except Chinese liquor?—No.

40435. Do any Chinese sell whisky?—I do not think so.

40436. Do many drink whisky?—Very few.

40437. Do some of them?—Yes, some of them.

*By Judge McDonald:*

40438. Is this Chinese liquor intoxicating?—We have several kinds, one kind is a little stronger than another.

40439. Is it more like whisky or wine?—Our liquor is a little stronger than pure wine.

JOHN M. LANGLEY.



40440. Is the Chinese liquor whisky or wine?—It is called cortin.

40441. Would you consider it more like wine, whisky or gin?—It is more like wine.

40442. Is it coloured or white?—We have it coloured and also white.

40443. Is rice the substance from which it is made?—Yes, it is distilled from rice and is of various degrees of strength.

*By Rev. Dr. McLeod :*

40444. Does your company sell opium?—We did until lately.

40445. Have you a license to sell opium?—Yes.

40446. The same as you have a license to sell Chinese liquor?—Yes.

40447. Are there many Chinese in Victoria who have licenses to sell liquor?—Half a dozen or thereabouts.

*By Judge McDonald :*

40448. Are they all wholesale dealers?—Yes.

40449. Is this liquor of which you have spoken sold in China?—Yes.

40450. Do they take out licenses to sell it there?—There are no licenses in China.

40451. Then a man starts and sells it without any authority?—Yes.

40452. Does the Government control the manufacture of it?—No.

40453. There is no license fee charged?—No.

*By Rev. Dr. McLeod :*

40454. Do you consider that the Chinese in this country drink more than they do in China?—Yes, they use the liquor daily, about meal times.

40455. Do any Chinamen in China use whisky?—Very seldom, because they can get this Chinese wine so much cheaper.

40456. Have you ever lived in San Francisco?—Yes.

40457. Are there any Chinese saloons there?—I do not think so; if there are, they are controlled by white men and there is a white proprietor.

REV. JOHN CAMPBELL, of Victoria, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

40458. With what church are you connected?—I am a Minister of the First Presbyterian Church.

40459. How long have you resided in British Columbia?—Five months.

40460. Where did you come from?—From the County of Simcoe, the town of Collingwood.

40461. Have you noticed the working of the license law in British Columbia?—Not very much, except what I have seen in the city.

40462. Do you find any difficulty in working it; are its provisions observed?—So far as I am concerned I do not know much about the working of the law.

40463. Did not Simcoe County pass the Scott Act?—Yes.

40464. Did you live there then?—Yes.

40465. Then the Act was repealed and was followed by the license law?—Yes.

40466. Was the license law in force when you left there?—It was.

40467. Are you favourable to the licensing of the trade, or are you opposed to it?—I am opposed to the traffic altogether.

40468. On principle?—Yes.

40469. Do you think it wrong to license the traffic?—Yes, because I consider it an injury to the community.

40470. Do you think it is a sin to license it?—I certainly think it wrong to license what is injurious to the community.

40471. Do you think it is wrong for a man to partake of liquor as a beverage?—I think it injures him, and if it does, it is wrong.

40472. Are you favourable to prohibition?—I am.

40473. On principle?—Yes.

40474. Do you think a general prohibitory law is practicable in this country?—I think so. It is becoming more and more so every day. I do not think it could be carried out just now, but the sentiment in that direction seems to be growing, not only in this province, but in Ontario.

40475. You have hardly lived long enough here to be able to speak positively of British Columbia?—No.

40476. In Ontario the Scott Act was in force in Simcoe County. How did you find it work?—It did not work very well; it was a disappointment to its friends.

40477. Had you difficulties to contend with?—Yes. I lived in Wellington when the Act was in force there.

40478. At what place?—At Harriston.

40479. Is that a railway centre?—Yes.

40480. Did a certain amount of sale go on there?—Some, but not anything to the extent to which it was carried on in Simcoe County.

40481. At Collingwood you mean?—Yes.

40482. In the event of the passing of a general prohibitory law, a law to prohibit the manufacture, importation and sale of intoxicating liquors for beverage purposes, do you think it would be right and just for brewers and distillers to receive remuneration for their plant and machinery rendered useless?—I think not. I think the proper thing to do would be to give them sufficient length of time to allow them to get out of the business and get rid of their stock.

40483. You are aware that distillers are required to keep their stock for a certain length of time for purposes of rectification?—Yes.

*By Rev. Dr. McLeod:*

40484. You have observed the operation of the license law and of the Scott Act. Comparing the two systems, which would you prefer?—I would prefer the license law. I have been in two counties and have observed, very closely, the working of the Scott Act in both.

40485. Why do you prefer license to the Scott Act?—Because a great many places spring up where intoxicating drinks are sold, which do not become established where houses are licensed. That has been my observation, particularly in the town of Collingwood.

40486. That is to say that liquor is sold illicitly when the county has been under the Scott Act, but not when drink is allowed to be sold under license?—No; but it is sold in a great many low places, in back rooms, etc., under the Scott Act, and it is not so sold when licenses are granted.

40487. You think license is preferable to illegal traffic?—I think so, especially to the Scott Act as it stands.

40488. What was the difficulty with the Scott Act?—The difficulty was this: that public sentiment was not sufficiently strong to have it properly carried out.

40489. That was the cause of the repeal?—Certainly.

40490. Do you think a better state of things prevailed after the return to license? I do, particularly in the County of Simcoe. This was not so noticeable in Wellington, because the temperance sentiment there was more favourable towards the Scott Act and its enforcement than it was in Simcoe.

40491. Do you believe that law is an educator?—I do, to some extent.

40492. Do you believe that the drink habit is an evil thing?—I certainly do.

40493. Do you believe a law that delegatizes the liquor traffic educates people against the liquor traffic?—I think so. However, I do not believe the safety of the community lies so much in the law as in the churches, and in the education of the people.

40494. You refer chiefly, of course, to the moral and religious influences?—I do.

REV. JOHN CAMPBELL.

40495. Do you think the law is a help to religious and moral influences?—I certainly do.

40496. Do you think that while the church is trying to educate the people concerning the character of the drink trade and to persuade the people to refrain from drink, the legalization of the traffic by the license system helps the church in the exercise of this influence. For instance, the church seeks to educate the people to the belief that the drink traffic is an evil thing. Is the church helped in that work by the legalization of the traffic?—No, the church is not helped by the legalization of the traffic. The church looks upon the traffic as an evil, and legalization does not help in putting down the evil; but restricting certain evils by law is much better than removal of restrictions.

40497. You prefer a license law to untrammelled sale?—Certainly.

40498. Do you think sale is free and untrammelled under the Scott Act?—No; because if the Scott Act is violated the violators are supposed to be punished by law; but if public sentiment is not sufficiently strong to enforce the law, it is very difficult for the authorities to see that the law is carried out.

40499. Is the difficulty in carrying out the Scott Act or any other law due to the authorities or to public opinion?—It might be due to both; but unless the authorities are backed up by public opinion, it is almost impossible for the officers of the law to carry the law into effect with any degree of satisfaction.

40500. When public opinion is in favour of the enforcement of the law, do the officials do their duty and enforce it?—No, they do not.

40501. Then it is fair to charge the non-enforcement to a weak public opinion, or do you make the officials responsible for that non-enforcement?—I do not know that you can make the officials responsible; I would rather place the responsibility on weak public opinion.

40502. Do you think in all cases where the law is not enforced the evil lies in public opinion?—No, I do not; but I think the officials of the law generally manage to carry it out in some degree, if public sentiment is in favour of it, because public opinion seems to be that by which the world is governed.

40503. Do you believe in general prohibition?—Certainly.

40504. You think a prohibitory law, well enforced, as well enforced as any other law, would be productive of good, morally and financially?—I do.

40505. In your experience as a clergyman and in the discharge your pastoral duties, have you observed whether, to any extent, the drink traffic and the drink habit are responsible for crime, immorality, domestic trouble, neglect of children and neglect of religion?—Certainly.

40506. In what degree, do you think?—In a very large degree those trouble are traceable directly or indirectly to the traffic.

40507. Do you think that if the traffic were prohibited, those evil effects would be diminished?—Certainly; but I am not so sure that prohibition could be carried out at present.

40508. But do you think that public sentiment is growing in that direction?—Yes, and it has changed during the last 10 years more than before, particularly in the eastern provinces.

40509. You have not been here a sufficient length of time to be able to judge of public opinion on this question?—No. But with respect to the drink habit in this city I am able to say that I have been here five months, and I have seen less drunkenness than I have seen in any town or city in which I have lived during any five months of my life.

40510. Do you attribute that to the license system?—I do not know to what it can be attributed, but that is a fact.

*By Judge McDonald:*

40511. What in your opinion is the effect of having a law on the statute-book that is persistently and flagrantly violated, such as the Scott Act?—It has a bad effect, because law violated always weakens the conscience, and if it weakens the conscience of the individual, it certainly weakens the conscience of the community.

40512. In the counties of which you have spoken, Wellington and Simcoe, you are aware that the Scott Act was repealed in both of them when the time arrived at which the vote could be taken?—Yes.

40513. Do you believe that the people were influenced to any extent in repealing the Act by the state of things which you have mentioned?—I certainly think they looked upon the Act as a complete failure. Those who voted in favour of it when it was carried and became law in those counties expected much more from the Act than was realized, and when they saw it was a failure and could not be enforced, they were glad to repeal it.

*By Rev. Dr. McLeod :*

40514. Do you believe a law against an evil has any effect in creating a strong public feeling against that evil?—I think so, on certain lines particularly.

40515. For instance, if the drink traffic is an evil, and it is desirable to have public opinion against it, does a law against it create public sentiment against it?—It does, on certain lines. Supposing they were in favour of a certain line of action and the law prohibited that, they would refrain from it.

40516. What effect on the young people has a law that promotes the drink traffic?—I think it has a bad effect.

40517. What effect has a law that delegalizes and punishes the traffic and dealers in it on the young people?—I think it has a good effect. That has been my own opinion for the last 15 years.

*By Judge McDonald :*

40518. You are favourable to prohibition?—Yes.

40519. You do not consider that at the present time it could be practically carried out?—I do not.

40520. You believe that owing to the influence of churches and temperance societies there is a growing temperance feeling?—I do.

40521. You believe that when that sentiment has grown sufficiently strong to carry the bulk of public opinion, then a prohibitory law may be practicable?—Yes, that is my opinion.

REV. COVERDALE WATSON, of Victoria, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

40522. With what Church are you connected?—I am minister of Temple Methodist Church on Pandora Avenue.

40523. How long have you resided here?—I have been over five and a half years.

40524. Did you come here from one of the other provinces?—I came from Toronto, Ontario.

40525. Since you have lived in British Columbia, have you lived in any other place than Victoria?—I have been here five years and a half, and in the province eight years and a half. I lived in New Westminster.

40526. Have you had any opportunity of observing the working of the license law in British Columbia in those two places?—Yes.

40527. How have you found it work?—As a license law, I presume it works as well here as any place else.

40528. Are you favourable to the license system?—In answering that question I have to consider the right and wrong of it. Certainly I am against the liquor traffic and am in favour of prohibition. I would not consider it wrong to grant licenses if the people wished it and were in favour of it.

REV. JOHN CAMPBELL.



40529. So you would prefer prohibition?—Certainly.

40530. But you would rather have license than untrammelled sale?—Yes.

40531. Have you had any experience in a prohibitory country?—I have not directly.

40532. In case of the enactment of a general prohibitory law for the Dominion, a law to prohibit the manufacture, importation and sale of intoxicating liquors for beverage purposes, do you think it right that brewers and distillers should be remunerated for their plant and machinery rendered useless?—Not by any means.

40533. Would you think it right to allow a limited time for those engaged in the business to continue, so as to allow them to dispose of their stock?—Yes, I would be in favour of that.

*By Rev. Dr. McLeod :*

40534. During the eight or nine years you have been in the province, have you observed any change in public feeling towards the drink trade?—I have noticed very great changes indeed.

40535. What has been the character of the changes?—When I first came here, 11 years ago, there was scarcely a temperance organization, except the Good Templars. They were very few in number, and they were not exercising much influence, except in a quiet way. Now there are a great many people belonging to temperance societies, and there are the Good Templars, Women's Christian Temperance Union, the Royal Templars and the Blue Ribbon organizations, which do a good work. I never saw so great an excitement and revulsion of feeling as has occurred on the question during the last two or three years in this province. In my opinion the people of this country are now against the liquor traffic.

40536. Are the various branches of the Christian Church active in promoting temperance?—Most of them are.

40537. Have you a Conference of your church in this province?—Yes.

40538. Has the Conference made a deliverance on this question?—It does so each year.

40539. It is practically identical with the deliverance of the General Conference?—Yes.

40540. Personally you concur in the character of the deliverance of the General Conference, I presume?—Yes, certainly.

40541. Had the deliverance of your Provincial Conference agreed with that view?—Yes.

40542. Have you a copy of your Conference proceedings of last year containing that deliverance?—Yes. The deliverance which was adopted by the Conference is as follows (Appendix 9).

40543. In your contact with the people as pastor, have you observed what effect the drink habit has on the community at large?—A very bad effect indeed.

40544. In what respect?—In regard to morals and happiness in homes, and it has a tendency to lower the moral sense generally. My observation of young people has been very extensive, especially in regard to young men, and I have seen many of them sacrificed and ruined. Every facility is provided here as well as elsewhere for the ruin of young men. In very many cases they are away from home and particularly susceptible, and it is not too much to say that one of the saddest things a Christian minister has to experience and observe is the large number of young men who are ruined through the drink traffic and are led away into evils that are nameless here.

ARTHUR L. BELYEA, of Victoria, barrister-at-law, on being duly sworn, deposed as follows:—

*By Judge McDonald:*

40545. How long have you resided in British Columbia?—A little over four years.

40546. Have you resided all that time in Victoria?—Yes.

40547. Did you come here from one of the other provinces?—From New Brunswick.

40548. What part?—From Fredericton.

*By Rev. Dr. McLeod:*

40549. I remember you were Inspector under the McCarthy Act for the County of York. Tell us something about the working of the Act?—At that time the Scott Act was in force there. My duties were more particularly in connection with the general management of matters regarding the enforcement of the Scott Act, which remained for a time in abeyance, because it was determined by the Supreme Court that the county was under the McCarthy Act at the time it was in operation. The difficulties at that time were, first, the unsettled state of the legal questions arising out of the Scott Act itself. Upon those questions came the conflict in consequence of the passage of the McCarthy Act, and between the two, for three years the Scott Act had hardly any existence at all practically.

40550. You have lived in Victoria all the time you have been on the Pacific Coast?—Yes, although I have been absent some part of the time.

40551. Have you observed how the license law has worked here?—I have not paid very much attention to those questions here, except what I have gleaned from conversations with people.

40552. Are you able to make comparison between the license system here and the Scott Act in the east?—It was never my good fortune to see the Scott Act enforced, and therefore I am not prepared to make a comparison—that is, enforced according to my idea of enforcing the law.

40553. What were the difficulties in the way of enforcement?—I think in York the same difficulties occurred as elsewhere. The public sentiment was very weak and the people violated the law.

40554. You think that was a difficulty which arose out of the legislation?—The difficulties that occurred out of weak legislation and the action of the Court no doubt had a very discouraging effect on public opinion, and the people came very rapidly to the conclusion that the law could not be enforced, and it was not worth while to bother with it.

40555. How long were you Inspector?—Two years.

40556. How long was the law in force before that?—It was in force from August, 1879, until June, 1884, when the McCarthy Act came into operation.

40557. There was only partial enforcement during that time?—Yes.

40558. Do you know why there was only partial enforcement at that time?—That arose out of the difficulties to which I have referred. In the first place the constitutionality of the Scott Act was impugned, and the Supreme Court differed from the other court as to that. The case went through all the courts up to the Privy Council; two years had passed before the final decision was reached, and during that period there certainly was but partial enforcement of the Act.

40559. Would you attribute that partial enforcement to the fact that those questions were before the Courts and nothing could be done?—Practically during this time, owing to the decision of the Supreme Court of New Brunswick and until that decision was reversed, there was no Scott Act, and saloons were opened and licenses granted. That state of things prevailed, I do not know how long, but about two years.

40560. Was it not fully two years?—Perhaps it was two years.

40561. You have not observed whether the license law regulates the trade here or not?—I think the license law here is very much better enforced than I saw the Scott Act enforced.

ARTHUR L. BELYEA.

40562. It is enforced in what respect?—We have regulations which are made and generally obeyed; any violations are punished. I was Police Magistrate for eight months here.

40563. Did you have many cases of violation of the license law by licensees?—Not very many. The Sunday closing law came into operation while I was Police Magistrate. I had two cases before me immediately after it came into force. I made convictions in both cases; they were punished, and from that time until this I think the law has been pretty well observed.

40564. You had no cases after that?—Not for violation of the Sunday law: there were very few; altogether only four or five.

40565. You think all cases of violation were reported and the parties punished?—The police law in this country as a rule is well enforced.

40566. Do you regard the license system as a better way of dealing with the trade?—I have no doubt whatever that in the state of public opinion it would be difficult to enforce any other system.

40567. Which part of the license system do you prefer, the license or the prohibition?—I have not a very strong opinion on that matter.

40568. You cannot express an opinion on it?—If I had my choice I would say prohibition; I would not take long to decide that question. But from the impression that I think prevails in this country it would be useless to enact a prohibitory law.

40569. You consider that prohibition is impracticable?—It is impracticable in this country at present.

40570. What means have you had of ascertaining the public sentiment on the question?—I know a good many people who to a certain extent represent public opinion. I have been pretty nearly all over the province except in the very rural districts. I have been in all the large and public centres, and my experience has been the same as it has been in a great many other places, that the large majority of the people were favourable to prohibition; at the same time they are not favourable enough to say that if such a law were enacted, they would put themselves out in the least to see that it was enforced.

40571. Do you agree that there has been a marked change in public opinion during the last few years?—I have been here four years, and for myself I do not feel capable to give an opinion on that point.

40572. Do you think there has been any change?—I have not been here long enough to be able to remark any. In my particular circle I have not noticed any change.

40573. You believe in the principle of prohibition?—Yes, the same as I believe in a great many other principles; but I do not see any particular use for it in this country just now.

40574. Can you conceive a condition of things that would justify the embodiment of that principle in law?—Yes; and when the community reaches that point, then it seems to me that the prohibitory law is of itself useless.

40575. So in that case a prohibitory law would be useless?—No, I did not say that at all. I mean in this way: the community might consist of people who were all total abstainers, that is to say, a community where, so far as the people were concerned, prohibition would not be able to do service. If such a condition prevailed over the whole country, that conclusion would of course be true; but it would also undoubtedly happen that there would be communities where the majority were total abstainers, and where a minority, if there was not prohibition or restriction, would certainly go into the liquor business. In those communities the law would have to be looked after and enforced.

40576. Do you mean that all the people or a large proportion of the people would allow this?—I mean a very large proportion.

40577. Would you have rigid measures taken to protect the minority.—The minority have no rights in the government, except rights that are common to all.

*By Judge McDonald:*

40578. I understand then, from what you say and from your knowledge of the city and of the state of feeling in the country, that there would be a majority of people in British Columbia in favour of prohibition as an abstract proposition?—No doubt of it.



40579. But so far as prohibition being practically carried out, you think that majority would fade away?—I think so. It would fade away before it could be a failure in enforcing the law. I do not think there is a province in Canada in which it would be more difficult to enforce the law than here. We have an immense country sparsely settled along the United States border where smuggling and illicit distilling could be carried on to an almost unlimited extent.

40580. In case of the enactment of a general prohibitory law, a law to prohibit the manufacture, importation and sale of intoxicating liquors for beverage purposes, would you deem it right that brewers and distillers should be remunerated for loss of plant and machinery rendered useless?—I think if Parliament passed a law of that kind they should remunerate every man in the business for every dollar he had invested in it. In other words the Government should buy up all the breweries and distilleries and liquor establishments, and the liquor should be destroyed if of no value.

40581. Generally speaking, what is the effect upon a community of having a prohibitory law that is flagrantly and persistently violated?—It has an evil effect.

LEWIS HALL, of Victoria, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

40582. What is your business or occupation?—I am a dentist.

40583. How long have you resided in British Columbia?—I came here first in 1876, and resided here for several years, partially on the line between here and Nanaimo and partially in Victoria. Then I went to Philadelphia, and from there I went to Oakville, Ontario.

40584. How long have you resided here?—The last time since June 30, 1886.

40585. Then you have been in the city nearly five years?—Yes.

40586. The license law has been in force here ever since you have known the city, I suppose?—Yes.

40587. Are you yourself favourable to the license system?—I am not.

40588. Are you opposed to it?—Yes.

40589. Are you favourable to prohibition?—Yes.

40590. On principle?—Yes.

40591. Are you opposed to the licensing of the traffic?—Yes.

40592. Do you think it wrong to license it?—I do, and for the simple reason that liquor is poison, and some restriction should be placed on its sale as well as on the sale of any other poison.

40593. Do you think it wrong for people to use it as a beverage?—I do.

40594. Have you lived in any place where prohibition was in force?—I resided three months in Oakville, Halton County, in 1889.

40595. You were not there when the Scott Act was repealed in that county?—No. During the whole time I was there, I saw only one drunken man, and liquor was not to be obtained. I know parties who wanted to drink and tried to obtain liquor, but could not, and who came to me, as they knew I could get alcohol for my office purposes.

40596. Then, in your opinion, the Scott Act was a success in Oakville?—Yes, while I was there.

40597. You had not much opportunity of seeing the working of the Act, as you were only there for three months. Do you know the reason why the Scott Act was repealed?—I do not know the reason why it was repealed.

40598. In case of the enactment of a general prohibitory law, would you deem it right that brewers and distillers should be compensated for their loss of plant and machinery rendered useless?—No; they went into the business with their eyes open. Probably the Government would buy the liquor and keep it for sale for medicinal and mechanical purposes.

ARTHUR L. BELYEA.



*By Rev. Dr. McLeod :*

40599. From your knowledge of British Columbia, have you reason to believe there is a strong sentiment in favour of prohibition ?—I do. I am in a position to know something about it from correspondence, owing to an office I occupy. I think the sentiment is growing rapidly.

40600. What office do you occupy ?—I am Grand Secretary of the Independent Order of Good Templars.

40601. Have you observed the working of the license law here ?—I have to some extent.

40602. What do you think of it ?—I am not in favour of license at all ; but, even if I were, I would not approve of the present license law. It is almost impossible to enforce the Sunday Act. At the present time, it is not necessary that the door should be closed, for you have to catch a man in the act of drinking and know what he is drinking before conviction could be obtained.

40603. During your residence in Victoria have you noticed any evil results from the drink trade ?—I am sorry to say I have noticed a good many, both here and while I was residing in other parts of the province. I have known several people who went to the bad, and also instances that occurred directly due to drink.

40604. Instances of what kind ?—People being drowned. I have assisted at post-mortem examinations where people have been drowned. Alcohol was detected in the brain at the time, and that was the verdict the jury brought in.

40605. Is that a sample of many cases ?—It is. I have known men who worked in the summer in the woods for \$50 or \$60 a month, and after they were in Victoria for a short time they had not a cent. I also know the case of a man who worked in the woods and who started out to see his folks in the east, and when he reached California he got on a spree, lost all his money and had to return.

40606. Do you think a community does a better business when saloons are prohibited ?—I know it does. I know that business prospers a good deal more when a prohibitory law is in force than under the license system.

40607. If those men had not spent their money in saloons and on drink, would the country have become bankrupt ?—I should say not ; it would have been benefited in a great many other ways. There would not be so many people fighting, and so many police would not be required to look after the people. The jails would not be needed, and there would not be a large expenditure required to keep them up. The people generally would not be required to pay in order to keep them up.

40608. You believe, from your experience, that crime, disorders and all unlawfulness are directly or indirectly due to the liquor traffic ?—Yes.

40609. I do not think the report of your Chief of Police shows that clearly ?—I was speaking to a leading physician the other day, and he said that the large percentage of deaths was due directly to drink. He is not a member of any temperance organization.

40610. Do you think drinking is more prevalent in British Columbia than in the eastern provinces ?—I think it was so in the early days, when money seemed to be more plentiful. There were not so many families here then as now, and the people spent their money more recklessly.

40611. They went to the saloons because they had nowhere else to go, and they spent their money in drinking ?—Yes.

*By Judge McDonald :*

40612. Do you think if a prohibitory law were enacted, it could be carried into operation in this province ?—I do not see why it could not, if we had proper officers.

40613. Can you inform the Commissioners of any country in the world in which this desirable state of things exists ?—I can not.

40614. Does it exist in Kansas ?—Not strictly, so far as I can learn.

40615. Do you believe a prohibitory law could be enforced in British Columbia ?—I do not see why it could not be enforced here as well as anywhere else.

40616. Where is it in force ?—It is not in force anywhere.

40617. But you think it could be enforced here as well as elsewhere ?—If there was a proper government.

40618. Why is it not enforced elsewhere when it is on the statute-book?—It is not strictly prohibition that is on the statute-book.

40619. Do you know of any country in the world where such prohibition as you wish is in operation?—No.

40620. So it would be an experiment if it were introduced here?—I do not know that you could call it an experiment.

40621. Would there not be great expense connected with that system?—There would not need to be any expense.

40622. But it would be a new thing?—Yes. The only country where it exists is Turkey.

40623. That is the only illustration you can put forward. We have been told that in the Fiji Islands there is such a law.—I am not sure.

40624. The Rev. Dr. Stewart of Sackville, N. B., Professor of Theology in the University there, informed the Commission that such a law was in force in the Fiji Islands?—Yes.

40625. You think such a law could be enforced, yet you have stated that the Sunday Law was not enforced here?—Yes.

40626. Why not?—For the reason I have stated: the law seems to be vague.

40627. How is the law vague?—All it says is that they shall not sell over a bar; they can sell liquor at meals to people boarding in the hotels, and they are not called upon to close the door and put the lights out.

40628. I understood you to say that the prosecutor had to prove what kind of liquor was sold and drank before convictions could be secured?—Yes. You had to prove that alcoholic liquor was sold.

40629. Would you prohibit the sale of ginger beer on week days?—Ginger beer is not an alcoholic beverage.

40630. I understood you to say that difficulty arose in regard to distinguishing the kinds of liquor sold, whether it was alcoholic liquor or ginger beer. If that difficulty prevails in regard to drink on Sunday, would it not prevail in regard to week days under a prohibitory law?—No, because liquor is detectible by the smell; it could be distinguished, and if liquor was prohibited by law, and there was a smell of liquor a round, they would be liable to be caught, and prosecuted under the law.

40631. Does not that condition exist at present under the Sunday law?—No.

40632. The method of detection would be by the smell and other liquors could not be used as ginger beer?—Yes.

40633. Under the prohibitory law you desire there should be the right of search of houses and persons, I suppose?—Yes, because they would get liquor from the other side of the line. A prohibitory law, in order to be successful, would require that to be done. A man if he travels now has his baggage searched by the Customs officers, and in order to have a prohibitory law successful the right to search persons would also need to be used.

40634. You would be in favour of having that done?—Yes.

40635. And a proper officer or officers to do it?—Yes.

REV. J. E. COOMBES, of Victoria, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

40636. With what Church are you connected?—I am pastor of the Baptist Church in this city.

40637. How long have you resided in British Columbia?—About two weeks.

40638. Where did you come from?—From Washington State.

40639. From what part?—From Tacoma.

40640. Is a license law in force there?—Yes.

*By Rev. Dr. McLeod :*

40641. You have not been here long enough to form an opinion as to the working of the license law in this city, I suppose?—No.

40642. Have you ever lived in a prohibitory town or city?—I have lived where there was local option.

40643. Where was that?—One of the places was Upper Alton, in Illinois, where I was at college, and another was Auburn, in the same State.

40644. How did local option work there?—The trouble with local option is that it is too local and too optional. We have to fight the same old devil over and over again every year, and, of course, that makes it very difficult. That is the optional feature. The local feature is this : in a State like Illinois, where there are towns almost every five or six miles, one town in the county may “jug” the whole county. The people go to that town and obtain all the liquor they want. Another objection I have to local option is that while it “bunches” the revenue it does not “bunch” the expense. One town may get all the revenue and at the same time the people over all the county have to foot the bills.

40645. Then you think it is unfair?—Yes.

40646. How does the license law work in Washington State?—It works badly, from my observation.

40647. How is that?—It is decidedly on the side of the liquor men. It protects the liquor men in a business, which, if carried on by “the butcher, the baker or the candlestick maker,” would give him a coat of tar and feathers and cause him to be ridden out of the town.

40648. Explain that.—It allows men to open these places where they are not able to take care of themselves and refrain. It follows them with that sort of influence which sends them home to abuse their children and beat their wives and terrorize the neighbourhood. While we have laws in the United States against the sale of rotten meat, I never knew a man to eat rotten meat and then go home and beat his wife; but we grant privileges to sell liquor, which causes a man to do acts that would never have been done by a man after eating stale meat or vegetables.

40649. If a man ate rotten meat and then went home, would he not most likely be sick?—This trade gives a monopoly to a certain class of people to debauch the community in which they live.

40650. Is there not a large class of people who, while purchasing at licensed places, never go home and create disturbance?—Well, I suppose it differs with the community.

40651. What is your belief as to the proportion of drinkers who are excessive drinkers?—My observation, which extends from a little place like Tacoma to a city like the capital of Illinois, is that the majority of the people who frequent the saloons, in fact the large majority become sooner or later in life what are called habitual drinkers. My observation is that it is simply a question of time.

40652. Does your Church have a conference or association or union in this province?—We are bound in conventional and associational ties with Washington State.

40653. Have you many churches in this province?—We have two in this city, two in Vancouver, one in Nanaimo and one in New Westminster, six in all.

40654. These are connected with the association or union in Washington State?—Yes.

40655. Has that union made any deliverance on the question of temperance and prohibition?—It has.

40656. Is that the deliverance of the Baptist people in this province?—Yes. I may say that the meeting was held at Vancouver, in this province, and the majority of the delegates were from this province.

40657. Do you refer to the last meeting of the association?—Yes.

40658. Did the association, at that meeting, express itself on this question?—Yes, most emphatically.

40659. Have you a copy of the report?—I could furnish a copy of the meetings and the minutes to the Commission.

40660. Do you believe in a prohibitory law?—I do.

40661. Do you think it right in principle?—I do.

40662. What do you think about its practicability?—I have not any question about that, for the testimony of the most distinguished men in the United States is to that effect.

40663. What is the effect of their testimony?—The effect is this: When we go to Maine, the Governor, the United States senators and the congressmen, generally agree in the fact that the Maine law, the law for the prohibition of the liquor traffic, is as well enforced, and some say better enforced, than any other criminal law on the statute-book. That is enough for me.

40664. You have not lived where there is local option?—I have not. I have visited Kansas several times; once when it was under license, and twice when it was under prohibition.

40665. What impression did the two systems make on your mind?—If I may be permitted to make a personal reference, I want to say that my family are addicted to the use of liquor, and the first time I visited there I found the same state of things in the family that live in Illinois. When I went there I found, from the testimony of my own father and brothers, that it was practically impossible (for that was the way they put it) to get liquor, and a man had to be a sneak if he got a drink of whisky in the city of Emporia.

40666. Then you think prohibition was fairly successful in Kansas?—I think they counted it so after being much opposed to it; they thought it as well or better enforced than any other law in the city.

40667. I presume there were some violations?—Oh yes, they said men could crawl along in a tunnel and drop a quarter in the slot, and drink whisky from a tin cup.

40668. Did you hear anything of movable saloons in Kansas?—I do not think I did. I heard about "leggers." They were men that went round with bottles in their boot legs.

40669. Do you not regard those violations of the law as very demoralizing and tending to bring the law into contempt?—That depends on whether the fellow gets caught or not. It is demoralizing to the fellow who violates the law and to the people who are apprehended.

40670. What is the effect on the community of those violations by "leggers" and other parties?—It seemed to be the impression of people with whom I conversed in Emporia that while the law was violated, it was violated in such a way that it practically deprived the men who violated it of any standing in the community.

40671. What is your opinion of the law: is it an educator?—I have always regarded it as an educator.

40672. Do you think a law against a thing admittedly wrong educates the people against that wrong thing?—I think so.

40673. Even when the law is violated?—I think so.

40674. In the event of a general prohibitory law being passed, do you think it would be proper to compensate the brewers and distillers for the loss they sustained?—I should like to say concerning this matter that I am biased in my opinion by the decision of the Supreme Court of the United States.

40675. What was the decision?—They have declared against compensation. My own personal opinion has always been against it; but I should like to repeat that the Supreme Court of the United States has declared compensation illegal.

REV. J. E. COOMBES.



40676. What do you think of the justice of the claim for compensation?—I think it would be a good thing if the whole matter could be squared up; and when the men in the traffic shall have compensated the world for the suffering entailed by their business, the world will then be entirely willing to turn round and pay what little balance is in their favour.

40677. You think there are two sides to the question?—I think so.

*By Judge McDonald:*

40678. You are a citizen of the United States?—Yes.

40679. You have resided in Canada for a period of two weeks?—Yes.

40680. You think you would like to see a law in force here such as is in force in Maine: is that the kind of law you want?—That, of course, would cover a great many special features which are local.

40681. Are there no other features?—I should like to have a law resting on the broad basis of the prohibition of the liquor traffic.

40682. What is there in the Maine law that is not satisfactory to you?—I do not think I could enter into details. I do not know that I could say that I am in favour of the Maine law, because there may be some local features.

40683. You rested your statement in favour of prohibition on the fact that the Maine law was a complete success?—Yes.

40684. Do you know that in Maine a man may have all the liquor he wants in his house and that he may give it to his friends?—Yes, of course there are details.

40685. That is something more than detail. Are you aware that under the Maine law a man may bring in liquor, but he must not buy it in the State, that he may keep his cellar well stocked and give liquor to his friends?—I do not know: I think that is a local feature of the law.

40686. Can you tell me of any country in the world that has such a prohibitory law?—I think so.

40687. Please state the country?—I think the main features of the law are embodied in the Kansas, Iowa, or in the Maine laws, and those would fairly represent the present demand of the people for prohibition.

40688. You will take the Kansas or the Iowa or the Maine law as representing the present demand of those in favour of prohibition?—I think so.

40689. Supposing a witness comes forward and swears that in Emporia there are fully equipped saloons for the sale of liquor, would that witness be telling the truth or not?—I could not say, because I was not there.

40690. What you have stated is on information received, I suppose?—Yes, there was none while I was there.

40691. When were you there?—I was there in the fall of 1888.

40692. You say that at that time there was no such thing as a saloon in Emporia where liquors were sold at a bar?—I saw none and I heard of none.

40693. You did not yourself see this tin pan business to which you have referred?—No, but I heard it from testimony that was going on about the law.

C. DELL SMITH, of Victoria, journalist, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

40694. How long have you resided in Victoria?—A couple of years.

40695. With what paper are you connected?—I am at present connected with the *Colonist*.

40696. Have you resided any where else in the country?—Yes, in Toronto and in Kamloops.

40697. Was there a license law in force in Kamloops?—Yes.

40698. Was it well observed there?—Yes.

40699. Do you know whether Kamloops was used as a distributing point for liquor sent to the North-west Territories?—Yes, I think it was. I have often heard so.

40700. Have you knowledge of it personally?—No; but I have often heard it stated.

40701. Taking this country as you have seen it, do you find the people to be sober and law-abiding people?—I do certainly.

40702. How do they compare with other communities in which you have lived?—They compare most favourably. What struck me when I last came to British Columbia was the absence of restriction and the repugnance of the people to anything in the shape of prohibition. When I first came to Kamloops the Sunday closing law was in operation, and before that time saloons had been open day and night. On Sunday I saw a man taking drink that I had not seen drinking for weeks. I also saw that it made sneaks of men; at the same time the people were determined to have the drink. I have seen men, whom you would never think would do it, hang about saloons and bribe people to go in and get them a drink. I thought this was demoralizing.

40703. You do not favour Sunday closing?—I do not. I have known it to be attempted in Toronto and afterwards prove a failure.

40704. You believe in saloons selling during 24 hours in the day and every day in the week?—A saloon keeper in this city can keep his place open day and night, except on Sunday. There are only four saloons who keep open all night there.

40705. I suppose these four saloons fulfil all the night requirement as there are not a great many people around?—Yes, and the restaurants in connection with them. Newspaper men call in and have supper and take a glass of beer.

40706. Do you favour the license law, or would you rather have untrammelled sale?—I favour the license law.

40707. Why?—Because you get a better class of people in the trade, and otherwise competition would be too keen. If there were too many in the trade the liquor would be adulterated, and the licensees would sell impure liquor and inferior liquor.

40708. Then you think that under the license law there is a better class of licensees and a better class of liquor?—Yes. But there is one mistake I see in the license law here as well as elsewhere and it is this: there is a man who often gets drunk, and the authorities look on him almost as a criminal. I think it is the man who plies him with liquor until he makes a beast of himself, who is the criminal. A man can take a certain quantity without doing himself any harm, and if the licensee is a respectable man or if there is a respectable man behind the bar, he will not give him more.

40709. Does not the law now prohibit sale to drunkards?—It is not observed.

40710. Is there violation of the law?—I think so. I think it is the duty of the law makers to see that the law is enforced.

40711. You think they fail in that particular?—I do.

40712. From your knowledge of men in British Columbia and public sentiment here, do you think a general prohibitory law for the whole country could be enforced?—I think it would be utterly impossible.

40713. In what would the difficulty consist?—This country is peculiar. Take this Island; you could not prevent smuggling except you had revenue cutters round the whole coast. The people now smuggle opium to the extent of hundreds of pounds

C. DELL SMITH.

weekly. This is very well known, but the authorities cannot catch the parties, although on both sides they are looking for them.

40714. In case of the enactment of a general prohibitory law do you think compensation should be granted to brewers and distillers for loss of plant?—I do not.

40715. Or for their liquor in store for rectification purposes?—Certainly not.

40716. Would you have a limit fixed during which they should be allowed to sell the liquor?—Certainly not; if the trade is declared illegal, it should be disposed of at once.

*By Rev. Dr. McLeod:*

40717. Speaking in regard to opium smuggling, would it be well to license the opium trade, as parties will smuggle it?—There is already a license attached to it and a great revenue is derived from opium.

40718. But there is smuggling going on?—Yes.

40719. For profit of course?—Yes. I repeat that I do not believe in Sunday closing: it is a farce wherever it is tried.

40720. Speaking of the people of Kamloops who objected to all restrictions and especially to the Sunday closing, do you think the law makes them more sober or more inclined to the liquor habit?—If the places had been open so that men could get a drink and then go away, it would have been better. The result of the prohibition was that men boarding in hotels would ask friends up in their rooms, and there was more drinking on Sunday than if there had been an open system.

40721. Would you have a law that interferes with a man's personal rights, or would you allow him to gratify his desires?—So long as the personal rights and desires are not offensive to the community or injurious, then I say by all means allow him to gratify his wishes.

40722. Did you notice that in Toronto there was Sunday selling going on?—I have seen more drinking in Toronto on Sunday than I have seen in Victoria on a week day.

40723. Then Sunday prohibition did not prohibit in Toronto?—Certainly not.

40724. Do you think Sunday prohibition prohibits in Victoria?—I do not.

*By Judge McDonald:*

40725. Is Kamloops an orderly place?—Very orderly. There is only one policeman, who is also collector of taxes, and he controls the whole population.

40726. Then there is not much drunkenness there?—There is only about one case in three weeks or a month.

NANAIMO, November 21st, 1892.

The Royal Commission on the Liquor Traffic met here this day.

*Present :*

JUDGE McDONALD.

REV. DR. MCLEOD.

JUDGE McDONALD, in opening the proceedings, said : Her Majesty's Commission under the Great Seal of Canada was read at Winnipeg, at the opening of the sitting there, and the reading will, therefore, be dispensed with on this occasion. We will at once proceed to examine witnesses.

SAMUEL DRAKE, of Nanaimo, Sheriff of the Bailiwick of Nanaimo, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

40727. How long have you been Sheriff ?—Between seven and eight years.

40728. Are you appointed by the Provincial Government ?—Yes.

40729. How long have you resided in the Province of British Columbia ?—A little over fifty years.

40730. Did you come here from one of the other provinces ?—I came from California here, but I am an Englishman born. I was in the Fraser River mines, after coming from California in the spring of 1862.

40731. How long have you lived on Vancouver Island ?—For 19 or 20 years.

40732. Then you have had a good deal of experience on the mainland as well as on the Island ?—Yes, I know both pretty well.

40733. When you came here first, what law was in force in regard to the liquor trade ; was it a license ?—There has always been a license law in force here.

40734. Taking your own city, is this a law-abiding and sober community ?—There are a great number of mixed people here, and considering that, I think it is one of the best I have ever known. We have men here from different parts of Europe and various parts of the United States, and they are a good class.

40735. This is the centre of a large mining district, I believe ?—Yes.

40736. Therefore you have what is called a mining population ?—Yes.

40737. Have you also a proportion of seafaring population ?—Yes. A great many come here and get off the ships and roam around as they please.

40738. Taking all these facts into consideration, you think this place will compare favourably with other places in which you have been ?—With any other place of which I have knowledge.

40739. Have you reason to believe that the present license law works satisfactorily : are there any amendments you could suggest ?—I know that my opinions on these matters are not entirely popular, and I believe that not many people will fall in with my views.

40740. But you speak in the public interest, I suppose. We are here by the authority of the Parliament of Canada, and by appointment of the Dominion Government, to obtain information on all these questions ; and we must ask you to give us such information that is within your power to give. Does the law, as a license law, work satisfactorily ?—I think so.

SAMUEL DRAKE.



40741. Do you know of any amendments that are desirable?—I do not know of any that I could recommend. I may state that the law is something that I am not very well acquainted with. Judging the question of prohibition, the opinion I entertain about it is from the results I have seen from the sale of liquor.

40742. Are you yourself favourable to prohibition?—I cannot say I am. That is the reason I am not always in harmony with my surroundings.

40743. You think there is a prohibition sentiment in the community?—I believe so.

40744. And you yourself are not in harmony with it?—Yes; that is the reason I mentioned the matter.

40745. Are you opposed to prohibition on principle?—The only way I can explain it is this: I do not see why any class of people having liquor in the community should need any further protection than men in the butcher shops. In this place liquor has been sold ever since I came here. If a man wants to sell liquor he has to get the signatures of his neighbours and of the Magistrate, and there are always men more or less opposed to a man getting a license, and the consequence is that there is friction, to a certain extent, before a new license is granted.

40746. Is the sentiment of the people in this community opposed to the traffic altogether?—I think not. They are not in the majority. Owing to the way the question was asked, I was led to express my own opinion and feelings.

40747. From your experience of British Columbia on both the mainland and on the island, do you believe a general prohibitory law, if passed, could be enforced satisfactorily?—It would take an army of constables to enforce it. There would be a great deal of smuggling, as there are such good facilities for it. This is so much the case that it would be impossible to carry out the law.

40748. Have you many bays and inlets?—The coast is full of small bays and harbours especially on the Island.

40749. Then you think smuggling would prevail extensively?—Yes.

40750. Do you know whether illicit stills are carried on throughout the province? I do not. That is one of the things we hear very little about in this province.

40751. Taking this city, are there many places licensed to sell liquor?—There are several places.

40752. Have you ever been in Cassiar?—Yes. I was there two seasons.

40753. Have you been in Alaska?—Yes; you go up through part of Alaska to get to Cassiar. The road passes through part of the Alaskan coast and you go back to British territory in order to reach that district.

40754. Do you know any of the towns in Alaska or have you visited any of them?—I have been at Sitka and Fort Wrangell.

40755. We have been told that there is a prohibitory law in force there. Can you say whether that law is carried out?—When I was in the country it was under what was called martial law, and there was a strong feeling of terror of martial law among the people there. Everything was quiet and orderly, and you simply travelled along without being molested by anybody.

40756. Then you did not investigate the state of things existing?—No. We simply attended to our own business and obtained what we wanted, and went back as soon as possible.

40757. Then you are not in a position to speak in regard to Alaska?—No.

40758. In regard to the license law in this province, we understand that recently there has been an amendment passed by the Legislature by which licensed houses are compelled to close on Sunday?—Yes.

40759. How is that law observed?—It has been a source of good to this little town, in this way, that when saloons were open on Sunday sailors from the ships came ashore and the miners came and trouble arose, for the sailor's liberty being restricted so much on ship-board he will indulge more than other men on shore. There were men drunk in the streets when people were going to church and when the children were going to Sunday School, but since the Closing Act has been introduced we have been benefited in this way and Sunday is kept more orderly.

40760. You have said that there is not a majority of people in favour of prohibition, but that there is a majority in favour of Sunday closing?—I think so.

40761. You think that is representative of the people's sentiment?—Yes, that the saloons should be closed on Sunday. And they will see that it is obeyed.

40762. Then the people support that view?—Yes.

40763. Do you know what public opinion is in regard to the number of licenses issued in the city?—I do not.

40764. In some places we found the people advocating a reduction in the number of licenses issued to a very small number; others were not in favour of that?—We are getting back to the same point or pretty near to it where we were just now. Speaking for myself, I do not fall in line with that view.

40765. Are there places licensed in Nanaimo where liquor is sold but beds are not provided for travellers or meals supplied?—I do not know any hotel of that kind in the town. I suppose you can get a bed almost anywhere, but I have never known of such places as you mean.

40766. Are they almost all hotels?—I suppose there is a class of hotels in the lower part of the town which will let bedrooms and accommodation for travellers. As regards the retail trade, certain conditions have to be complied with before licenses are granted.

40767. In case of the enactment of a general prohibitory law, a law to prohibit the manufacture, importation and sale of intoxicating beverages, would you deem it right that brewers and distillers should be compensated for their loss of machinery and plant?—I should certainly say so, because they have now certain vested rights. They have invested their money in those establishments and year after year have been granted licenses.

40768. It has been stated that those people have been required by law and by departmental regulations to put in certain machinery from time to time and also change that machinery, and they are moreover required by law to keep their liquor in stock for two years for purposes of rectification. Do you think that all those matters should be taken into account in enacting any such legislation as is suggested?—That is one of the things I am not able to speak of.

40769. You have merely expressed your opinion that in principle it would be right to make some compensation?—Yes.

*By Rev. Dr. McLeod :*

40770. Have you any reason to believe that there is liquor sold by others than licensed vendors?—I have no reason to believe it, none whatever.

40771. Have you reason to believe that the licensees sell during prohibited hours?—No. If they did I would consider it my duty to inform the constable, and he would go and haul the parties up. I have known one or two cases where there have been violations of the law, but very few of them since the new Sunday Closing Act was passed.

40772. You do not officially have anything to do with cases of drunkenness?—No. I am a provincial constable and as such would be expected to assist in maintaining good order.

40773. But it is not, properly speaking, your duty?—I am Sheriff, and I am also a provincial constable.

40774. Is there much drunkenness in the town?—I do not think there is a great deal. On Saturday evenings you will find some more or less drunk, but it must be remembered that this is a mixed community, composed of a great many different classes of people.

40775. How is it about pay day: are there many who get drunk on that day?—Not as many as I have seen\*in many other places in British Columbia. I know that it was so in Ridgefield on Saturday and Sunday.

40776. Did they have free sale in that place?—No, it was under license.

40777. But in your opinion it would be just as well not to have licenses but to let any man who likes start and sell liquor, if he pleases, on paying a fee?—My feeling is that there should be a license, and a good one, but I do not believe that a certain number of people should have the business.

SAMUEL DRAKE.

40778. You do not believe in a monopoly?—No, there should be a license, and a good one, and if a house violated the law it should be closed.

40779. As Sheriff, have you to do with the serious crimes that occur, such as murder, burglary, etc. Have you much of that crime in your bailiwick?—We have very little of that class of crime in the district, but at present we seem to be suffering from one or two cases.

40780. Have you noticed during the years of your official duties whether any proportion of the crime you have to deal with as chief executive officer is traceable, directly or indirectly, to the drink traffic and the drink habit?—Most of the crime I am brought in connection with arises from liquor. In nine cases out of ten when men commit excesses they do so when drunk; at all events, that is the excuse they make.

40781. Do you find that crime is related in any way to the drink habit and traffic?—A fact that struck me in regard to one or two cases of a more than ordinary serious nature was that I think they did not arise from drink at all.

40782. Do you think that drink had no connection with them?—Not that I know of.

40783. Is there much sale to Indians?—There is an Act prohibiting Indians from getting any liquor at all. Once in a while we pick up a drunken Indian and inquire where he got liquor, and he will point out the man who supplied it; then the party is arrested and subject to a fine of \$50 or as high as \$300, and in addition six months' imprisonment.

40784. Have you had many such cases?—There are always some of these vendors in the jail.

40785. Do you know if there are many cases of sale to Indians?—I should imagine there were hundreds. I have a good deal to do with Indians. An Indian is always a pretty decent fellow when he is sober, as most of them are, but when they get drunk they seem to lose all respect for the rights of any other party in their immediate neighbourhood, and they are capable of doing things when drunk that they would never do when sober.

40786. Are they quiet and sober generally?—Yes, they are all right as long as they are sober.

*By Judge McDonald:*

40787. In cases of sale of liquor to Indians, what class of people make the sales?—Very low fellows.

40788. They are not licensed dealers, I suppose?—No. I am very glad you mentioned that point. In a number of cases they are men from the ships and are away down in the social scale, and the liquor is supplied by men for the sake of money. When anything of that kind occurs it is always done by a fellow who is down about as far as he can get; however, it is very seldom done.

ANDREW HASLEM, of Nanaimo, saw-mill owner, on being duly sworn, deposed as follows:—

*By Judge McDonald:*

40789. Do you occupy any public position?—I am Mayor of this city.

40790. How long have you resided here?—About eleven years.

40791. How long have you been in British Columbia?—About seventeen years.

40792. Where did you reside before you came to Nanaimo?—In New Westminster.

40793. That is the mainland?—Yes.

40794. Did you come here from one of the other provinces?—I came here from New Brunswick, but I am an Irishman by birth; I came here from Albert, King's County.

40795. Since you came here has a license law always been in force?—Yes.

40796. How long have you been Mayor?—Since 1st January last.

40797. Have you found this country to be orderly and law-abiding?—I think so, especially considering that it is a mining community and there are a great many vessels



coming and going all the time. There are a large number of sailors here and the wages paid are higher than those paid in other places ; and I think everything considered the law is fairly well carried out.

40798. Do you find many people here from different parts of the globe?—Yes.

40799. Different parts of Europe?—Yes ; there Italians, Belgians, Swedes, Chinese, Germans, a few Russians, Scotchmen, Irishmen and Englishmen.

40800. What is the population of the city?—About 5,000.

40801. Of the population, what proportion would be miners, in round figures?—The principal industry carried on here is mining. In fact over half of the able bodied men are miners.

40802. You say the foreign population is of a floating kind?—Yes ; I have not considered them in the population.

40803. Have you anything to do officially with the carrying out of the license law?—I am chairman of the Board of Licensing Commissioners.

40804. How many licensed places are there at the present time?—22.

40805. Are they all hotels?—The retail places all have bars. There are very few of them that pretend to give meals, although they will do so if required.

40806. Under the terms of the license are they required to give meals?—Yes, that is the understanding.

40807. How many wholesale licenses are there?—There is only one.

40808. Have you reason to believe there is any unlicensed sale in this city?—I have not.

40809. So far as your experience goes, is the license law well observed by the licensees?—I think so.

40810. I mean as regards Sunday sale and everything of that kind.—We occasionally hear complaints, but when you come to trace out the complaints it is very difficult to say that infraction of the law has taken place. I think that the present license law requires a little amendment.

40811. Kindly state to the Commission in what way you wish the law amended, and give any information that occurs to you on the subject?—While the Sunday law prohibits the sale of liquor on Sunday, it does not prohibit people sitting in the bar rooms, and I think it would be more effective if the law was amended so that people should not be allowed to sit in the bar rooms.

40812. You would have the law amended so as to have the bar rooms closed up entirely?—Yes. At the present time it is almost impossible to see whether people are drinking there or not. It is a very easy matter for a person to stop drinking the moment the officer comes in ; he can simply sit down. If the licensees were compelled to close the bar altogether, it would be very much better.

40813. You say there are 22 licenses granted here?—That is the number as nearly as I can remember.

40814. From your experience, do you deem it advisable to limit the number of licenses granted?—Yes, I do.

40815. What about the amount of license fee ; would you be in favour of a higher license fee?—Our license fee here is, I believe, larger than in any other place in the province.

40816. How much is it?—\$300.

40817. Does that fee go to the City Government or to the Provincial Government?—The city claims its own license fees.

40818. Are you favourable to a license law or to prohibition?—I think if prohibition could be carried out, it would be better for the community.

40819. Then on principle you are in favour of prohibition?—I think so.

40820. Have you doubt as to the practicability of carrying it out?—Yes.

40821. What would be the main difficulty?—This is a sparsely settled country, and it would be very difficult to apprehend people well acquainted with the country, who would smuggle.

40822. Are there any difficulties in the way of carrying on smuggling operations?—I do not think it would be possible to prevent smuggling,

ANDREW HASLEM.



40823. Are you able to speak from information as to the public feeling in the province as a whole in regard to the subject of prohibition?—No, I cannot say that I am.

40824. Do you think there is as strong a sentiment in favour of total prohibition as there is in favour of the Sunday closing law?—No, I do not think there is.

40825. The Sunday closing law commends itself to the greater portion of the people?—Yes, I think so.

40826. Have you had any experience in a country where prohibition was in force?—I may say that I have been in Maine, but not long enough to enable me to form an opinion as to the working of the law there.

40827. In case of the enactment of a general prohibitory law, a law to prohibit the manufacture, importation and sale of alcoholic liquors for beverage purposes, do you think it right that brewers and distillers should receive compensation for their plant and machinery that would be rendered useless?—Yes, I think so. For they established the business with the consent of the law, and if those interests are prohibited, I think the parties should be compensated.

40828. Have you any facilities provided for the recreation of the people, such as parks, etc.—Yes, there are a number of places.

40829. Do you find the people avail themselves of those places of resort?—Yes, more so than in most cities.

40830. Do you find them of advantage to the people?—Yes.

40831. Are there any suggestions you desire to offer to the Commission in regard to the license law?—No, I do not know of any at the present moment.

*By Rev. Dr. McLeod :*

40832. The Sunday closing feature of the license law is a recent amendment, I believe?—Yes.

40833. Prior to that clause, was there much drinking on Sunday?—There was a good deal of drinking on Sunday.

40834. The closing of saloons by law has diminished that, I suppose?—Yes, I believe it has.

40835. Have you reason to believe that the licensees observe that feature of the law, or do they sell more or less because of the little defect in the law of which you have spoken?—I do not wish to be understood as indicating that they take advantage of that, but I am speaking of the law from an official point of view. In case of the law being violated it is difficult to secure conviction owing to this difficulty.

40836. From your observation, do you think there is more or less drinking now than there was formerly, when you came here first?—I think there is less in proportion to the population.

40837. To what do you attribute that change?—I think there is a growing sentiment in favour of prohibition and temperance, and that is apparent all over the province.

40838. Do you think it would be well in Nanaimo to have even fewer licenses than you have now, the number being 28: does that include the wholesale licenses?—No; there are 28 retail.

40839. Do you think it would be well to have fewer licenses in this city?—I think the fewer licenses there are, the less drinking there is.

40840. Twenty-two licences would be equal to one license for every 225 of the population, which would be ample to satisfy the desires of the people? You must bear in mind that the immediate districts are thickly populated and that the people do most of their business here.

40841. Are there licenses in those districts?—Very few; there are one or two houses.

40842. Most of the trade is done here?—Yes.

40843. You have expressed yourself in favour of the principle of prohibition, if such a law could be enforced; but you think there would be difficulty in regard to its enforcement. Do you think prohibition would still further lessen the amount of drinking if it did not prohibit it entirely?—I think it would.

SAMUEL GOFF, of Nanaimo, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

40844. Do you hold any official position ?—Yes, I am Clerk of the City.  
 40845. How long have you resided in Nanaimo ?—About 36 years.  
 40846. How long have you resided in this province ?—All that time.  
 40847. Did you come here from England ?—Yes.  
 40848. How long have you been City Clerk ?—Twelve years.  
 40849. Are you secretary of the Licensing Board ?—Yes.  
 40850. Do you act as clerk of the Police Court ?—No.  
 40851. The Mayor has told us that there are 22 retail licensed places in the city and one wholesale ?—I think there are 21 retail and 2 wholesale.  
 40852. Can you tell us the fee paid for a wholesale license ?—\$100 a year.  
 40853. And for a retail license ?—\$300 a year.  
 40854. Do the licensees have to pay any additional sum to the province ?—I do not think so.  
 40855. Of whom is the Licensing Board composed ?—That differs with the regulations provided for in the Act. Now it is composed of the Mayor, two Justices of the Peace, one alderman and the Police Magistrate.  
 40856. Then the Board is composed of five members ?—Yes.  
 40857. Who selects the Justices of the Peace ?—The municipal council.  
 40858. The Board has power to grant licenses to applicants on their conforming to the conditions of the law, I suppose ?—Yes.  
 40859. You have a class of people who having had licenses before the new Act came into operation, merely pay their fees and hold a license during good behaviour ?—Yes.  
 40860. Have you had any case in which an old licensee has forfeited his license owing to bad conduct ?—No.  
 40861. The law came into force before your term commenced ?—Yes. The license law as it is now is much better than it was some time ago.  
 40862. The Sunday closing feature is a new one, I believe ?—Yes.  
 40863. Do you find that to be a move in the right direction ?—Yes. I believe it decreased drinking on Sunday.  
 40864. The Mayor has suggested that it would be as well to have the bars closed as well as sales prohibited. What is your opinion in regard to that ?—It is the only way of making the law effective.  
 40865. Then you would have the bar-room shut up entirely ?—Yes.  
 40866. And not permit it to become a general resort on Sunday ?—No.  
 40867. Are you favourable to license or to a prohibitory law ?—I am a prohibitionist.  
 40868. In sentiment ?—Yes.  
 40869. Are you opposed to a license law ?—I prefer a license law to free traffic.  
 40870. Failing prohibition, do you look upon license as a necessary evil ?—I think it is the next best thing to prohibition.  
 40871. Judging from your experience, do you think a general prohibitory law could be enforced ?—I think it could be enforced as well as any other law.  
 40872. Do you mean any other law that might be passed by the Legislature ?—Yes ; all laws are violated, though not all to the same extent.  
 40873. Can you suggest to the Commission means of enforcement that would make a prohibitory law possible to be carried out ?—I could not say that I have any such suggestion to offer.  
 40874. Have you considered the subject from that point of view ?—Yes.  
 40875. You would expect that any law passed by the Legislature would be enforced ?—Yes ; I believe the people are sufficiently law-abiding to fall in with that view.  
 40876. Have you lived in any country where a prohibitory law was in force ?—No.  
 40877. Do you think there would be smuggling in the event of the adoption of a prohibitory law ?—There might be a little of it, if they had the liquor near.

SAMUEL GOFF.

40878. Would you favour a law that would prohibit the manufacture, importation and sale of alcoholic liquors for beverage purposes?—Yes, and the law would be no good unless it went that far.

40879. Can you name such a country where there is a law like that in force?—I can not say that I can. I have heard of places where they have prohibition.

40880. Name them?—Prince Edward Island and parts of the United States, such as Kansas.

40881. The law in Prince Edward Island counties is what is called the Scott Act?—Yes.

40882. There are, of course, prohibitory clauses in the present license law, but all those laws allow a man to import liquor for his own use and give it away to his friends. Is that the kind of a law you desire?—No.

40883. You would have prohibition that would prohibit liquor from coming in?—Yes.

40884. Will you please name any country where such a law is in force?—I could not tell you.

40885. It has been stated to the Commission that there is such a law in the Fiji Islands. Have you any knowledge in regard to that matter?—No.

40886. In case of the enactment of a general prohibitory law, do you think it would be right to compensate brewers for their plant and machinery rendered useless?—For their actual loss perhaps.

*By Rev. Dr. McLeod:*

40887. Has drunkenness increased or decreased in Nanaimo during your recollection?—I think in proportion to the population it is less now than it was in former years.

40888. Is there much advocacy of temperance in this province?—There is a little work going on all the time.

40889. By the churches?—Yes, and by the temperance societies.

40890. Do they accomplish much?—I think so.

40891. Do you attribute the change in the drinking habits of the people to the efforts of the churches and temperance societies?—Yes.

40892. Do you think the work carried on by these societies has brought about the changes in the license system which you think have made the law so much better than it was previously?—Petitions have been sent to the Legislature asking for a change and for further improvements in the law, and they have been successful to that extent.

40893. You have spoken about the present license system being preferable to the former one. What is the chief difference between the old one and the one now in existence?—The present law requires that certain conditions shall be fulfilled by the applicant and that consent of two-thirds of the lot owners and their wives in the neighbourhood where the licensed place is to be located shall be obtained.

40894. Do the applicants always do that?—Not always.

40895. Do they receive licenses?—No.

40896. But those who have licenses, the 23 places in Nanaimo, did secure the necessary signatures?—Yes, those that have been granted since the new law came in three years ago; 16 licenses were granted before that.

40897. Then those 16 do not come under the operation of the license law?—Not to the same extent as those licensed afterwards do.

40898. Then there are five new licensees who have had to comply with those regulations?—Yes.

40899. Supposing "A" applies for a license and gets the necessary signatures of two-thirds of the lot owners and their wives, and "B" also wants a license to sell as well as "C" and "D"; could "B," "C" and "D's" petitions be signed by the same two-thirds who signed "A's" petition for a license in the same block?—That would be for the Board to decide.

40900. Has any such case arisen?—No.

40901. Does every applicant have to get a fresh set of signatures to his petition?—Yes.

40902. May they have the same people on their petitions as they had before?—There is nothing to prevent it.

40903. So any one could be in the same block and have a license if they got two-thirds of the lot owners and their wives to sign the petition?—Yes.

40904. As to the 16 licensees who have licenses in perpetuity simply because they happened to make application for a license before the present law came in, I understand they have not to make application to the Board for renewal of license?—That has been since a year ago. The licensees who have been granted licenses since then have to make application every six months for renewal.

40905. Have those 16 men presented petitions signed by two-thirds of the lot owners and their wives?—They are not required to do so.

40906. They simply step up and pay the fee?—Yes; there are 20 licenses, but only one license has been granted since the new law came into operation.

40907. So 20 out of 21 go right on by paying the fee, and nothing is said?—Yes.

40908. Do you know whether the licensees observe the provisions of the license law or not?—I do not know.

40909. Have you reason to believe they do or do not?—I suppose some do and some do not.

40910. The prohibited hours are from 11 o'clock Saturday night until Monday morning?—Yes.

40911. Do you think it would be well to have a law prohibiting sale after 10 or 11 at night and before 6 or 7 in the morning?—I think it would be of very great advantage.

40912. Do you enter the police court records?—No.

40913. Who is Clerk of the police court?—I think the Chief of Police copies the record for the Police Magistrate.

40914. Has drunkenness increased or decreased during your recollection of this city?—It has decreased in proportion to the population.

40915. Have you reason to believe there is illicit sale in this city?—I think there are some places that could not exist in town unless they sold liquor.

40916. Are they persons who have no licenses?—Yes.

40917. Are there no attempts made to bring those offenders to book for violation of the law?—I do not know of any.

*By Judge McDonald :*

40918. Have you, as City Clerk, represented that condition of things and reported those places?—I have indirectly.

40919. You have called the attention of the authorities to them?—I have not called attention to them officially.

40920. But you have done so as an individual citizen?—Yes.

40921. And no efforts have been made to suppress them?—No.

40922. Do you know whether the police officers have made inquiries and found that they could not prove the case?—I believe they have.

*By Rev. Dr. McLeod :*

40923. From your observation of the license law during all those years, is it your belief that the liquor law really regulates the trade?—Do I understand you to refer to the number of places licensed?

40924. Does it furnish any regulation to the trade? I mean does it regulate or diminish the traffic?—Do I understand you to mean this? Does the license law regulate the number of places? It only does so as regards the number of applications. License is opposed to free rum.

40925. Do you think there would be more drinking if there were more licenses?—I think there would be more.

40926. Then do you believe that the restrictions the license law affords are beneficial?—Yes.

40927. I think you have stated that if there were greater restrictions there would be greater benefits?—Yes.

SAMUEL GOFF.



JOSEPH PLANTA, Police Magistrate of Nanaimo, on being duly sworn, deposed as follows:—

*By Judge McDonald:*

40928. How long have you resided in British Columbia?—About 20 years.

40929. How long have you lived in Nanaimo?—About 17 years. I am also a Justice of the Peace and Stipendiary Magistrate in and for Vancouver Island.

40930. Did you come here from one of the other provinces?—No.

40931. What countryman are you?—I am Welsh.

40932. Have you had any experience in a prohibitory country?—None whatever.

40933. Has there always been a license law since you came here?—Yes.

40934. Are you appointed Police Magistrate by the Provincial Government?—By the Municipal Government.

40935. By what authority are you appointed a Justice of the Peace and Stipendiary Magistrate for the Island?—By the Provincial Government.

40936. How long have you been Police Magistrate?—Two or three years.

40937. Are cases of infringement of the license law brought before you for trial?—Yes.

40938. Cases of men selling during prohibited hours?—Yes.

40939. Cases of people selling without a license?—Yes.

40940. How does the license law work here according to your experience: are its provisions well observed?—I think so.

40941. Have you many cases of infringement of the license law brought before you?—Very few; latterly there have been some cases of infringement of the Sunday Closing Act, although in each instance there has been conviction.

40942. Have there been many such cases?—I think about six altogether.

40943. It has been suggested that the law should be amended so as to require bar-rooms to close on the Sabbath?—Yes, it would only be fair if that was done. I suppose all the licensees really wish to observe the law, but they have no opportunity, as at the present time customers have a right to come in.

40944. Have you many cases of unlicensed sale brought before you: I refer to parties selling without license as required by law?—I think there have been cases. Two occurred three years ago.

40945. You have had none recently?—No. I was speaking only a short time ago to the County Court Judge who, with myself, is a Stipendiary Magistrate, and it appears that there were quite a number of cases brought before him a short time ago: although it was in the district, it was outside the city that they occurred. The parties were dealt with in every case and were fined.

40946. Were the sales made to travellers?—No, there were no licenses granted in the district.

40947. How many cases were there?—There was quite a run at that time.

40948. How long ago was it?—I think it was about May last year.

40949. So far as the city is concerned, have you had many cases?—No.

40950. Are you able to say from your experience whether it would be in the public interest to have the number of licenses still further reduced and in this way have fewer licensed houses?—I think the number at the present time is at its extreme limit, unless there should be a first-class hotel built.

40951. You think the present number is sufficient to satisfy the needs of the community?—Yes.

40952. Do you think there are more licensed houses than are needed?—I am the party who granted those licenses, and I could not answer that question.

40953. We are told that under the law there are a number of people who do not come under the control of the Board so long as they conduct their houses properly, and they are only required to attend and pay their license fees once a year?—Yes, they are all licensed in that way, with one exception.

40954. While the men who hold the old licenses conduct themselves properly the Licensing Board has no discretion in renewing the license?—No, not unless some charge

is laid against them. I may say here as supplementing my answer, that the hotel and saloon-keepers are a very respectable class here. They are men of good moral conduct and integrity and are of a worthy class. I think we may attribute very much the law-abiding character of the community to their high position and standing, for they are men above all smallness.

40955. You have a population here of a rather cosmopolitan class, I believe?—Yes.

40956. The people include all nationalities?—Yes.

40957. And they are to some extent a seafaring population?—Yes.

40958. Taking the population as a whole, do you think this a sober and law-abiding community?—Yes, very much so; there is a great absence of crime.

40959. Have you noticed a change in the social customs of the people during the past few years in regard to the use of intoxicating liquors?—I have not noticed any, as I do not frequent drinking places.

40960. I am speaking in regard to social customs among the people as a class?—I think there is more used in private houses than formerly and more liquor in the shape of beer.

40961. To what do you attribute that change?—Probably because it is more easily obtained now than it was then. In fact, in former days it could not be obtained. A very large number of the workingmen are very well situated as regards their homes and houses. Many of them live in their own houses on their own lots and at considerable distances from the public-houses, and some of them keep beer in their house and they do not have to send for it to the public-houses.

40962. As between a general prohibitory law and the license law, which as a matter of principle do you support?—As a matter of principle I would go for prohibition, if it were practicable.

40963. Do you think it would be practicable?—I fear not, not until the people are educated up to it. I think the present generation will have to pass away before that takes place. The incoming generation may see liquor being used more as a medicine than as a beverage.

40964. So in the present state of things you think it would be impracticable to carry out such a law?—I do.

40965. In case of the passage of such a law, do you think it would be right to remunerate brewers and distillers for their loss of plant and machinery?—If I looked upon their licenses as vested rights, then I would remunerate them if it cost \$20,000,000.

40966. Take the cases of men in your own province who have had license up to the present time and will retain them so long as they conduct themselves well, do you think it right that such men should be remunerated in the event of the enactment of a general prohibitory law?—I consider they have vested interests in a certain degree, and I cannot think otherwise.

40967. Take now the cases of people who obtained licenses under the new law and who are required to obtain a renewal from the board every six months?—Their cases would be somewhat different of course for they have only nominal claims.

40968. Does the fact that those people have to apply every six months for a renewal of the license very materially reduce their claim?—Not altogether, for it must be remembered that many of those people have invested thousands of dollars in fulfilling the provisions of the license law, and the buildings would be of very little value apart from the license.

40969. Have you heard of special provisions in regard to hotels having 30 bed-rooms?—In case of an hotel with 30 bed-rooms the party has a right to come before the Judge and obtain a license. There is no such hotel now running. The Act is very like the Ontario law. A bill was prepared three or four years ago and it was intended to be introduced by the late Hon. James Robson, in which it was proposed to give licenses in the same manner as under the Ontario License law. It embodied a certain amount of local option.

40970. Take the cases that come before you as Stipendiary Magistrate, does any proportion of them arise from the use of intoxicating liquors?—Yes, a large proportion, at least three-fourths.

JOSEPH PLANTA.

40971. What class of cases?—Cases of violation probably, and there are also cases where men have infringed the Indian Liquor Act.

40972. What class of people sell to Indians?—Men who are drunk at the time, but sometimes seamen who are not aware of the law.

40973. Have you had any such cases brought against licensed dealers?—No, they do not do that. There is no such thing done by our licensed men; they would not do it.

40974. Are there people here who come regularly before you charged with drunkenness?—There are only a few of such people here.

40975. In other cities we found that there are men who are brought up frequently and sentenced and sent to jail and then come up again and keep right on doing so. From your experience, do you think it would be better to send those men to inebriate asylums with a view to their reformation?—I thank your Honour for that suggestion. I have often thought it seemed harsh to continue to punish men in that way and I think there is a lack of justice about it. It would be better to subject such drunkards to confinement for a certain period in an inebriate asylum.

*By Rev. Dr. McLeod:*

40976. Speaking of the treatment of inebriates, would you make that a public charge?—Yes, in cases where parties were unable to pay themselves; otherwise it should not be made a public expense.

40977. You would do so in cases where the men were not able to pay, in order to relieve their families?—Yes.

40978. I suppose you have the police court records?—We occupy a singular position here altogether. Although I am a Police Magistrate and appointed by the city, yet we are not separated from the provincial authorities, but are entirely connected with them. So long as the Government remains as it is to-day, they keep part of the fine and they keep the records too.

40979. Have you made a return from your records?—Yes, a return has been made.

40980. Did your record of drunkenness show an increase or decrease with old returns?—I think they showed an increase in proportion to the increase in population that has taken place. A man comes in from Vancouver and the first thing he does is to go and get drunk. He brings perhaps \$2.50 with him, and pays 50 cents for bed and breakfast, and spends the rest in liquor.

40981. Have you licensed places which sell to such a man after he is drunk?—Not after he has got drunk.

40982. Such a man you say spends \$2 out of \$2.50 in drink: have you licensed places which sell to such men.—I do not know. I suppose if a man insists on getting drunk he will do so and get the drink. If he was drunk, of course he could not get it.

40983. I had obtained the idea from your statements that your licensed men were such honourable men?—They include a large number of men of the highest integrity and they are a very high class of men.

40984. Is there any way in which we could get a transcript of your records?—I should like to say that we are very busy people here, and as I only got your intimation to be here at a late hour I had to give up another appointment in order to be present. However I can supply a copy of the record.

40985. I think you said about three-fourths of the cases coming before you were those of drunkenness?—Cases arising indirectly or directly from the use of alcoholic liquors.

40986. Have you observed whether crime of one kind or another has diminished in Nanaimo during your term of office?—I have been on the Bench as Justice for the last 16 years, and so long as we had no floating population (just now the policy seems to be to employ only married men rather than single men) crime was quite nominal.

40987. Have you noticed an increase?—Not according to the population. The census shows that our population has increased until it now numbers about 4,000.

40988. Has there been less crime since the Sunday closing Act?—Yes, certainly; there has been a great reduction in Sunday morning drinking.

40989. Was that drinking done by residents here?—By single men who were residents, but not by men with families.



40990. Speaking about licenses : does a license attach to the premises rather than to the individual ?—There has been a great deal of disputing in regard to transfers, but we have been fortunate in having good men come forward. Looking over the names, I find the men as a rule are a very respectable class and quite trustworthy.

40991. Supposing a man has a license, does that license in any way represent his district ?—It represents the section.

40992. Can he transfer it to another ?—Yes, with the consent of the Licensing Board.

40993. If the building is destroyed, does the license attach to the freehold ?—That has been the case under the law, but the Board has the power to decide.

40994. I have been requested to ask this question : did the men who obtained licenses recently get them because they secured two-thirds of the names of the lot owners and their wives in the neighbourhood ?—I should like to answer that question in this way, that if a man possesses a license by right of the Board granting it, whether rightly so or not, it rests with members of the community to object to the Board granting it.

40995. Has the Board discretion in regard to granting licenses ?—I think the Board has discretion only when the conditions have been fulfilled. Whether it has that discretion or not, it assumes it and grants licenses ; and what are you going to do about it ?

40996. Supposing members of the community did object, would the Board still grant it ?—I do not know, I do not think so.

40997. The Board stands between the licensee and the people ?—Yes.

40998. As a sort of buffer ?—Yes.

40999. Can the Board refuse to grant a license when the conditions have been complied with ?—Yes, they can refuse.

41000. But they cannot grant a license when the conditions have not been fulfilled ?—That is a matter of discretion.

41001. Does it strike you that those provisions inserted in the license law have been fruitless ?—I never saw an Act of Parliament through which you could not drive a coach and six. The license law is one that requires renewing every six years.

41002. From your residence and observation, can you say what effect the liquor trade in Nanaimo has on the various interests of the community ?—I think it would be very much better if there were no licensed places at all ; but considering the number of places, I do not think there has been an amount of evil above the average. There is always a certain amount of evil in this world, and no doubt there have been cases here, but not more than in other communities.

41003. From your observation, is a considerable amount of the evil due indirectly or directly to the use of liquor ?—I do not look upon it as being due to the trade, but to the excessive use of liquor.

*By Judge McDonald :*

41004. When a man has more than 30 rooms do we correctly understand that he may go to the Board and have his license renewed, without having the required number of signatures ?—Yes.

41005. And a man with less than 30 bed-rooms has to have the signatures ?—Yes.

41006. Then he must have the proper number of signatures of lot owners and their wives ; or can the Board decide ?—Yes, it is a question for the Board.

*By Rev. Dr. McLeod :*

41007. How many of the present number of licensees have handed in petitions signed by the lot owners and wives ?—I think only three or four altogether.



THOMAS O'CONNOR, Chief Constable of Nanaimo, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

41008. By whom are you appointed?—By the Municipal Council.

41009. How long have you held your present office?—Going on eight years.

41010. How long have you resided in Nanaimo?—I have been here in the vicinity of thirteen years.

41011. How long have you been in British Columbia?—All about that time.

41012. Did you come here from one of the other provinces?—No, I came here from the United States.

41013. What is the strength of the police force in Nanaimo?—Only two regular city officers, myself and one other at the present time; that is since last July.

41014. How many provincial officers are here?—There is a jailer and assistant jailer, two convict guards and a constable.

41015. Those are provincial officers?—Yes.

41016. Who is in command of them?—Wm. Stewart.

41017. Are you called upon to make many arrests in Nanaimo during a year?—The number of arrests varies.

41018. Taking the city as a whole and taking the character of the population, do you find this to be an orderly city?—I do.

41019. We have been told that you have a population including seafaring men and miners and people of different nations?—Yes, we have a large floating population foreign to the city.

41020. Have those provincial officials anything to do with the enforcement of the city regulations?—No.

41021. So you and your brother officer attend to those matters?—Yes.

41022. Are cases of persons arrested by you all tried before the Police Magistrate?—All cases for the city and district are tried by him.

41023. Have you lived in any prohibition country?—No, I have not.

*By Rev. Dr. McLeod :*

41024. Have cases of drunkenness increased or decreased here, bearing in mind the increased population?—Taking the increase of population and comparing the number with a similar period during the past few years, I could not say that the number has increased very much, but I think it has increased a little.

41025. Then you think it has increased a little more than the population?—Yes.

41026. Have you many arrests for other offences than drunkenness, offences such as disorderly conduct, assaults, petty thefts and the like?—The principal arrests we have here are for drunkenness, drunk and incapable, and drunk and disorderly.

41027. About how many of such cases have you during the month?—Some months we have very few; they might be limited to 25 or 30 other months and even run sometimes to 50 and 60. We sometimes go a full week and do not have a single case.

41028. Do those cases average 40 during a month?—No, they do not. The police records will show they do not.

41029. Do you keep a regular record of arrests?—There is a regular record kept by the chief officer of the provincial police. There are not 40 cases a month belonging to the municipality. Cases come here from Comox and as far down as Cowichan and out to Wellington; some of these cases from Wellington come in here. They all came here previous to last year. Now they have many of them dealt with out there.

41030. Of the other offences for which you make arrests offences, like disorder and breaches of the law, do you think any proportion of them are attributable to the drink habit and the drink traffic?—Most of the arrests within my time have been attributable to the drink.

41031. Have you noticed whether there is an increase of drunkenness and troubles growing out of drunkenness, about pay day?—I think I can honestly say that latterly, especially since February, when the Sunday closing law went into force, we have had less drunkenness than previously, owing to the saloons being closed on Sunday.

41032. You think, then, that the Sunday closing regulation has produced good effects?—Yes.

41033. Have you, as Chief Constable, reason to believe the licensees do sell more or less on Sunday, or do they observe the law?—In regard to that matter, I can only say that there have been no signs of sale visible to me. No doubt some of them do sell on rare occasions, but I never saw any signs of sale, except on rare occasions, when the parties were arrested and punished. The way the present law is framed now allows the place to be open, but no sales are allowed and as there are saloons within a radius of  $1\frac{1}{4}$  miles it is pretty hard for two officers to keep watch all the time. Of course, I go by the conduct of the people on the streets.

41034. Do you think it would be well to have that feature of the law changed and have it more strict, compelling bar-rooms to be closed up entirely on Sunday?—Yes, I think it would be a good thing.

41035. Have you noticed whether any bar-rooms keep open all night, except on Saturdays?—Yes, some do; but as a general thing, they are closed from 11.30 until 2.00 in the morning.

41036. Do you know whether in connection with the bar-rooms there are pool and billiard rooms and other games?—There are only a couple of houses reported to have any gambling.

41037. Are there any laws against gambling?—Yes.

41038. You think there are one or two reported to have gambling appliances?—I did not say appliances, for I have never known of any chance games being carried on in the city. On three occasions they attempted to carry on a game of faro, but the parties were not allowed to remain here. We have never had such games in the city within my time.

WILLIAM MCGREGOR of Nanaimo, colliery manager, on being duly sworn, deposed as follows:—

*By Judge McDonald:*

41039. How long have you resided in Nanaimo?—About 25 or 26 years, or nearly all my life.

41040. Did you come here from one of the other provinces?—I was born in Victoria, B. C.

41041. How long have you been manager of the colliery?—About 6 years.

41042. How many men do you employ in the mines?—Between 1,200 and 1,300.

41043. Are those men all under your charge?—Yes.

41044. How are they as regards their habits in the use of intoxicating drinks; are they a sober class or otherwise?—They are a sober class.

41045. Are the majority of the men married or single?—I think most of them are married.

41046. Are they composed of people of different nationalities?—About two-thirds of them are English and the rest are composed of different nationalities.

41047. European, I suppose?—Yes, but we have men from all countries.

41048. Have you any Chinamen?—Above ground, but not underground.

41049. Have you observed the working of the license law since you have been here?—I cannot say that I have very carefully.

41050. We have been told that since the enactment of the Sunday closing Act, there has been a decrease in drunkenness? Have you noticed any decrease amongst your own men?—Yes, I have, it has had a good effect.

41051. Have you considered the question of prohibition *versus* license?—Yes.

41052. Which do you favour?—I certainly favour prohibition, but I am not prepared to say that it could be carried out here.

THOMAS O'CONNOR.

41053. But you favour prohibition on principle?—Yes.

41054. You consider it would be difficult to have it enforced?—Yes.

41055. What difficulties do you apprehend in the way of enforcement?—It would perhaps be a little difficult to enforce it, but I do not know that it would be entirely so. It might be so at first, but I think with efficient officials it might be possible to enforce it.

41056. Then that would depend on public sentiment?—Yes, that would have a good deal to do with it.

41057. Do you find the sentiment of the people is in favour of this Sunday law, so far as you have learned it?—Yes, I believe so.

41058. Do you think there is the same amount of feeling in favour of prohibiting the sale of liquor altogether?—I think public sentiment would be in favour of prohibiting it.

41059. Would public sentiment be as much in favour of prohibition as it is in favour of this Sunday Act?—I do not think so.

41060. It has not shown itself by legislative action to be so as yet, or by the action of electing members to the Legislature with those views, I suppose?—No.

41061. In case of the enactment of such a general prohibitory law, a law to prohibit the manufacture, importation and sale of intoxicating liquors for beverage purposes, would you deem it right that brewers and distillers should receive compensation for their loss of plant and machinery?—Yes, I think it would be nothing but fair that they be compensated.

41062. You say you have not observed closely the operation of the license law; but so far as your observation has gone, are there any amendments you could suggest?—One has been suggested, namely, the closing of bar-rooms on Sunday and not allowing admittance to them. I think that would have a beneficial effect.

41063. Can you express an opinion as the number of places in Nanaimo under the license law, and whether a further limitation of the number would be beneficial?—I think the limitation of the number would diminish the amount of liquor used.

41064. Therefore you are in favour of limiting the number?—Yes.

*By Rev. Dr. McLeod:*

41065. Do we understand by your answer that partial prohibition would be beneficial?—Yes.

41066. Have you noticed that the drink habit affects your men injuriously to any degree?—I cannot say that we have many men who are habitual drunkards, for we would not keep them. If we find men losing much time we do not keep them.

41067. Do you find that men with the drink habit do lose more or less time?—Yes.

41068. Is he the man who gets drunk, or the man who drinks habitually and perhaps occasionally gets drunk?—Of course the men who drink to excess cannot attend to their work.

41069. Then it is the rule in your company to dismiss such men?—Yes.

41070. Have you found that the drinking habits of men have changed of late years?—Yes. We have less drinking here than formerly.

41071. To what do you attribute that improvement?—Probably it is due to the Sunday closing law and also to public sentiment, which is greatly in favour of temperance.

41072. Do you think the fact that your company and probably other companies refuse to employ drinking men and discharge men for drinking, has some effect?—It might have some effect.

41073. When a man knows that he cannot get work as a drinking man, that fact must have some effect on him, I suppose. Your company in thus dealing with the matter do so as a matter of business, because it is not in their interests to do otherwise?—Yes.

41074. How often do you pay your men?—Once a month.

41075. Have you noticed that your men after pay day drink more freely than at other times?—Yes, as a rule.

41076. Where are your mines situated?—In Nanaimo. We have our works extended under the river for four or five miles.



41077. Are there any licensed places in the vicinity of the works?—No.

41078. Do you think that if licensed places were established in the vicinity of your works they would be a menace to you?—There are licensed places within half a mile.

41079. Do your men live within a radius of half a mile or a mile from your works?—Some live further away than that.

41080. Are there licensed places established within those limits?—Yes.

41081. Have you observed whether those licensed places offer a strong temptation to your men to drink?—I believe they are a temptation.

41082. Does your company own property within a mile or half mile of the works?

Yes, they owned most of the property, but a good deal of it has been sold.

41083. Are there licensed places established on the property owned by the company?—The company now sell on the condition that the property will not be used for licensed places.

41084. Is that a recent rule?—Yes. I am now speaking of our district; in the city it is different.

41085. You are speaking of the district around the works?—Yes.

41086. Why is the company so unwilling to have licensed places on their property in the vicinity of the homes of their employees?—Because they feel it would be injurious to their men.

41087. And, being injurious to their men, it would be damaging to their own work?—It would.

MARCUS WOLFE, of Nanaimo, insurance agent, on being duly sworn, deposed as follows:—

*By Judge McDonald:*

41088. How long have you resided in Nanaimo?—11 years.

41089. How long have you lived in British Columbia?—About 30 years.

41090. Did you come here from one of the other provinces?—I came here from the United States.

41091. Have you ever had any experience in a prohibition country?—I have not.

41092. Taking the province as a whole and taking the character of the people into account, do you think it is an orderly and sober community?—Very much so.

41093. How do you find the license law work here, satisfactorily or otherwise?—In my opinion it works satisfactorily.

41094. Are there any amendments you could suggest in the law itself? Would it be well to further limit the number of places?—I do not think so. My opinion is that there is as much liquor sold in 5 places as in 20 places.

41095. What about the amount of the license fee? Do you believe an increased fee would be beneficial? I think it would; at all events, it would help the revenue of the city.

41096. Have you considered the question of prohibition?—No, I cannot say that I have gone into it very carefully.

41097. From your experience in this province, do you think a prohibitory law could be carried out and enforced?—It would take some time to do it.

41098. What do you mean by some time?—I am not versed in the methods taken to bring it about, but, taking the state of things in the liquor trade in the province, it would take some time to bring about a change.

41099. Would it be possible to prohibit people bringing liquor in?—If there was such a law enacted I do not see how the people could do otherwise than smuggle it.

41100. Do you think they would smuggle it?—Yes.

41101. Are there facilities here for doing so?—Yes.

WILLIAM MCGREGOR,



41102. Do you think the people would break the law?—Undoubtedly there would be a good deal of smuggling. Our customs laws at the present time are generally evaded and smuggling gone on.

41103. In case of the enactment of a general prohibitory law, a law to prohibit the manufacture, importation and sale of intoxicating liquors for beverage purposes, do you think brewers and distillers should be remunerated for their loss of plant and machinery?—Yes.

*By Rev. Dr. McLeod:*

41104. How long have you been an insurance agent?—One month.

41105. Were you in business here before?—Yes, as a merchant.

41106. You dealt in general merchandise, I suppose?—Yes.

41107. Wholesale or retail?—Both.

41108. Has the life insurance company you represent any rule in regard to applicants who are known as drinkers?—Yes.

41109. What is it?—They do not accept any one who either manufactures or sells liquor.

41110. Is the reason stated by the company?—They do not consider such parties good risks.

41111. You put the man who drinks little and the man who drinks habitually in the same category?—Yes; they are very particular as to the applicant. That matter rests with the medical examiner, and the questions asked in regard to the party are with respect to drinking.

41112. In regard to fire insurance, have you a rule about risks on buildings occupied by liquor sellers?—Of course, an agent has a great deal of discretion in those matters. The moral character of the applicant has to be considered. Houses connected with gambling are not accepted. Hotels where liquor is sold are accepted.

41113. Would the same rate apply to them as to other buildings?—No, a higher rate.

41114. Is it because liquor is sold there?—Yes.

41115. Does the proximity of a liquor store affect the insurance on neighbouring buildings?—Yes.

41116. Is there a high rate charged for such?—Yes, generally a higher rate.

*By Judge McDonald:*

41117. Is there any additional risk from liquor being stored in a place?—I cannot say, except in very large quantities; it would depend on the kind of liquor and if there was a very large quantity stored.

41118. If liquor was warehoused, would there be a higher rate?—Yes, that would be owing to the inflammable nature of the goods.

41119. You have stated that companies are very particular in inquiring into the habits of people who desire to insure, and you have said that people who drink to excess are refused?—Yes.

41120. Is any question raised as between those who drink in moderation and those who do not drink at all?—They will not accept drunkards.

41121. The question is as between men who drink in moderation and those who are total abstainers?—No difference is made.

41122. Would an application by a distiller for life insurance be refused?—I think so.

41123. Would Mr. Walker or one of the firm of Gooderham & Worts be refused life insurance?—I am not prepared to say they would or would not.

41124. So your rule is confined to men engaged in the retail trade, to bar-tenders, &c.?—It depends a great deal on the habits of the men.

41125. You had better consider the matter before you send in the statement that distillers and manufacturers of liquor are refused as risks by life insurance companies. Do you still say that all manufacturers of liquor are refused?—I will not say all.

41126. Will you say that any manufacturers of liquor are refused, if they are good risks?—If they are good moral men, they will not be refused.

41127. So has the manufacture anything to do with the acceptance or non-acceptance of such applications?—It would have great weight with the company.

41128. If a manufacturer's life was otherwise a good risk, would the company accept or refuse him?—They would accept him.

41129. Then there is really no difference in the rule in regard to them?—No.

*By Rev. Dr. McLeod:*

41130. What does your company say about manufacturers and distillers?—We ask: "Are you engaged in the sale or manufacture of intoxicating liquor?"

41131. The question seems to class manufacture and sale together. You have to report on that matter?—Yes.

41132. Are you sure bar-keepers are not taken at all?—They are not taken at all, if they make a business of bar-keeping. A hotel-keeper who employs a bar-keeper would be taken, but a bar-keeper making a regular business of it is not taken by this company.

GEORGE CAMPBELL, of Nanaimo, on being duly sworn, deposed as follows:—

*By Judge McDonald:*

41133. What is your business or occupation?—I am foreman in the employ of the Vancouver Coal Company.

41134. How long have you lived in Nanaimo?—Since August, 1875.

41135. How long have you lived in British Columbia?—The same time.

41136. Did you come here from one of the other provinces?—Yes, from Cape Breton, Nova Scotia.

41137. What part?—From Sydney Mines.

41138. Taking your population here, made up of miners to a certain extent and also a number of seafaring people, how do you find this community compares with other communities as to being a law-abiding and orderly one?—I think the population is as law-abiding and orderly here as almost anywhere.

41139. And it is composed of different nationalities?—Yes.

41140. People of different habits and customs?—Yes.

41141. Are you in the same mine as Mr. McGregor?—I am in one of the mines of which he is manager.

41142. Did you hear his evidence?—I heard part of it.

41143. How do you find the license law work here?—We have what you might almost call a high license in this city, for many of the licensees pay \$300 a year.

41144. We understand that you have 21 licenses for the sale of liquor?—Yes.

41145. Do you consider that number is more than required by the city?—I consider that number too many.

41146. Do you think it would be better if the number was reduced?—Yes, I think it would be better, and there would not be so much liquor sold.

41147. Are you in favour of a liquor law or of prohibition?—I am in favour of prohibition.

41148. As a matter of principle?—Yes, because it would be for the general good of the people.

41149. Are you opposed to the license system?—Yes.

41150. Do you think it should be abolished?—Yes.

*By Rev. Dr. McLeod:*

41151. You work underground, I suppose?—Yes.

41152. Have you men under your control?—In the absence of the manager and the foreman of the mine, the fireman is left in charge to see to the safety of the mine.

41153. Then you are responsible for the safety of the mine?—Yes.

41154. Have you any rules in the mines as regards drinking by employees?—The general rules of the company here are that if a man stays away for two days without reasonable excuse, he loses his place.

MARCUS WOLFF.

41155. Do men lose much time by drinking?—A little about pay day, one or two days, but not a great deal of time.

41156. Have very many men been discharged on account of being drunk? I suppose they try not to get drunk?—Yes, they try to keep their places.

41157. Do you think that the rule makes your men more sober than if there was no such rule in force?—It has a strong tendency that way.

41158. You have expressed yourself as favourable to prohibition. Have you thought of the matter sufficiently to be able to say whether prohibition could be enforced?—I think it is quite possible to enforce such a law. I hear a large number of people, including those who drink, express the wish that prohibition was in force in this province.

41159. You think, then, that there are drinking men who would prefer prohibition to license?—Yes, I have heard quite a number of them say so.

41160. They think it would protect themselves, I suppose?—They say they are not capable of looking after themselves, and that prohibition would assist them.

41161. Is it the duty of the community to help such men?—I think so.

41162. Have you observed in your intercourse with the employees whether the families of drinking men are affected by the drinking habits of the father?—In some cases with which I am personally acquainted, the families have suffered from the drinking habits of the parents.

41163. In the event of the enactment of a general prohibitory law, do you think it would be proper to remunerate brewers and distillers for their loss of plant and machinery?—I think not.

41164. Why not?—If anything happened by which we would be called to shut down the mine and suspend operations for a time, we might as well say that the company has a right to be remunerated as that remuneration should be granted to brewers and distillers of liquor.

41165. If an Act of Parliament was passed closing up the coal business, would that make a different state of affairs, or would the condition still be about the same, in your opinion?—I do not see why not. I think it would be a great blessing if the money invested in the liquor industry was driven into other branches of trade, and the manufacture of articles that are necessary to the comfort of the people.

41166. Do you think the business of the country would not suffer if the breweries and distilleries were closed up?—I think that would increase the business and welfare and prosperity of the whole people.

*By Judge McDonald :*

43167. Supposing an Act of Parliament was passed requiring your mine to have certain and expensive machinery put it, and an Act was afterwards passed, declaring that you could no longer mine coal, and all machinery and plant were left on the company's hands, do you think it would be quite right that you should not receive remuneration?—Yes, if it was a business that was injuring the country.

41168. Do you think it would be quite right if Parliament required the company to put in certain plant and then afterwards passed a law prohibiting the further operation of the coal mine; would you deem it right that the company should be remunerated for loss of plant and machinery rendered useless?—In that case I consider that it would be fair if compensation were paid for all machinery and plant handed over to the Government. The Government should buy out the property.

41169. In a similar case in which brewers and distillers were parties, do you think it right that the Government should take over the machinery and plant and pay them the value?—Not if the trade was considered injurious.

41170. Do you think it is injurious to the community for any man to drink alcoholic liquor in moderation?—I think injury is done in almost all cases.

41171. Do you think it is a sin to drink wine?—I think it is very injurious to the system.

41172. Do you think it is a sin to drink wine?—I should call it a sin, a violation of the law; I should consider taking alcohol into the system to be a sin.

41173. Is it a sin to drink intoxicating beverages in moderation?—I consider it a sin to take into the system anything which is injurious.



41174. Is it a sin to drink intoxicating beverages in moderation?—I consider that a sin.

41175. You think it is injurious to any person who drinks it?—I consider it injurious to anybody. It has been stated by medical men of authority that any one who takes alcohol into the system is not a healthy man.

41176. Even in moderation?—Yes.

41177. And further you think you would be benefiting the people as well as the men who drink to excess if you prohibited them from obtaining drink?—Yes, it would be doing them good.

41178. You would cause men who drink in moderation to abstain?—Yes.

41179. You would pass a law to prohibit the manufacture, importation and sale of intoxicating liquors for beverage purposes?—Yes.

41180. Do you think such a law could be enforced?—I think it could be enforced as well almost as any other law is enforced. There is no law that is perfectly enforced.

41181. Can you inform the Commissioners of any country in the world where there is such a law in force to-day?—In the State of Maine they have prohibition.

41182. But they have no such law as you speak of. In that state a man can have all the liquor he wants in his cellar and give it to his friends. You think it a sin to drink wine and you would keep it away from the people. In Maine, however, every one is permitted to drink it and have it for his own use if he pleases. Would you allow people in this country to send to Montreal and obtain liquor and keep it in their cellars and treat their friends? Could you name any country or state where the people have such a law as you desire?—I could not name any country or state where they do good to that extent; of course alcohol is required for medical purposes.

41183. Prohibition is to restrict it for beverage purposes?—Yes. I am in favour of such a law.

41184. Do you think smuggling would go on if such a law were passed?—I think there would be smuggling.

41185. But would not the law have to be enforced? Have you lived in any prohibition country?—I once lived in a place where liquor was not allowed to be sold, Cow Bay.

41186. We have had evidence in regard to Cow Bay and in regard to that part of the world and Nova Scotia generally. Are you not aware that people in Cow Bay can obtain all the liquor they want in Halifax?—Yes.

41187. Do you know what the consequence of passing such a law is: do you know what class of people get liquor from Halifax?—Only wealthy people.

41188. So the law allows the wealthy people to have all they wish and keep liquor in their cellars while the poor people are compelled to do without it?—The poor man is better without it; let the wealthy man poison himself if he wishes.

41189. So you wish to prohibit the poor man having it?—Yes.

*By Rev. Dr. McLeod:*

41190. As to granting compensation to brewers and distillers in the event of the enactment of a general prohibitory law: do you see any difference between the drink trade and the coal business?—Certainly there is quite a difference.

41191. Do you think the coal trade is more beneficial to the country than the liquor trade?—I think so.

41192. Do you think there is any likelihood of the people of the country ever attempting to prohibit the coal business?—No, I do not think so.

41193. Then the question of granting compensation to colliery owners will scarcely arise?—Not likely.



WILLIAM W. WALKEM, M.D., of East Wellington, B.C., on being duly sworn, deposed as follows :—

*By Judge McDonald :*

41194. What is your profession?—I am a physician and surgeon.

41195. How long have you lived in British Columbia?—17 years.

41196. How long have you lived in Nanaimo?—10 years.

41197. How do you find the people here, are they orderly and law-abiding?—Considering the amount of liquor consumed, they are very much better than in any other place I have been in, and I have been all over the world.

41198. Have you observed the operation of the license law here?—I have not so much in the city as in the district.

41199. How does it work?—I do not like it.

41200. What is the difficulty?—The difficulty is this, it does not allow a poor man to get a license. There is too much competition to give him a chance to obtain a license.

41201. Are licenses granted in the rural districts by the Licensing Board?—Yes, which is too small.

41202. How many are there on the Board?—Three members, which number may be increased to five, and the Stipendiary Magistrate can sit, which would increase the number to six; but up to a certain time only three magistrates have been sitting on the Board.

41203. For how large a district would those three men act?—For a district about 53 miles long and several miles broad.

41204. Do the licenses in the district which you mention observe the provisions of the license law and comply with the requirements?—In what way?

41205. Do they close their houses on Sunday?—I never ascertained that fact. They do in and about the place where I am residing, and they are very strict in regard to it.

41206. What is the license fee paid?—I am not aware, but it is the usual provincial fee, I think \$100 a year.

41207. Have you considered the question of prohibition?—Yes.

41208. From your knowledge of British Columbia, do you think a general prohibitory law could be practically enforced here?—No.

41209. What would be the difficulties?—In the first place, the people are not educated up to such a law. In the second place, to attempt to establish a prohibitory law would lead to other evils, such as smuggling and the manufacture of illicit liquor.

41210. In case of the enactment of a general prohibitory law for the whole Dominion, do you think it right that brewers and distillers should receive compensation for loss of plant and machinery?—Certainly, like every other vested interest.

41211. Speaking as a medical man, from your experiences and practice, have you found many cases to arise from alcoholism?—I have found in a country like this very few cases to arise from alcoholism, considering the amount of liquor consumed.

41212. Do you mean that a great many of the people consume liquor?—They drink in moderation a good deal. They do not drink liquor as much as beer.

41213. Has the consumption of beer materially increased since former days?—I cannot say; I think that would be a matter of statistics, and I have not gone into them.

*By Rev. Dr. McLeod :*

41214. You have spoken about the difficulty experienced by some people in obtaining licenses. Are we to understand that irresponsible people sometimes get licenses?—That is a matter I had not thought about. The reason I object to the license system is this: it causes a house that obtains a license to possess a certain pecuniary value; that is to say that a man by the very fact that he obtains a license secures a certain value for the property.

41215. The license attaches to the premises?—Yes.

41216. You think it would be well to change the law in that respect?—I do. I would also do away with the provision requiring a certain petition to be signed when

application is made for a license, for those people who sign are as a rule not in favour of granting the license but sign because they do not wish to offend the proprietor.

41217. Do you think it would be well to have a license system, so that a man would be required to procure a license every year the same as at first?—Yes, subject always to the reports which might be made by the police as to the character of the house.

41218. And, of course, if disorderly conduct prevailed, you would have the license refused and *vice versa*?—Certainly. Of course, if the house was unnecessary, I would have it done away with altogether.

41219. You must also consider the district in which the license is granted, I suppose?—Yes; there have been 18 deaths in the province of British Columbia due to alcohol within a short time comparatively.

41220. You mean drunken people?—Yes. Two murders were also due to that cause and there have been three cases due to drinking by Indians and other people, who were not able to take care of themselves.

41221. You think the liquor traffic is responsible for those untimely deaths?—Yes.

41222. Have you observed whether the drink traffic has been responsible for any percentage of untimely deaths annually?—I know no more than what I have learned from the Inspector of Penitentiaries. In looking over the record of the penitentiaries I noticed that 99 out of 100 cases were returned as having occurred from the parties having been drunk. I do not place much reliance on that report, as my opinion is that the officials blame liquor for almost every wrong action.

41223. Do you think that in those cases the parties were not all drunk?—When a man intends to commit burglary he does not get drunk; he wants a clear head.

41224. For business purposes, he keeps sober?—Yes, burglars and gamblers are hardly ever drinkers, at least when they are pursuing their respective vocations.

41225. You spoke about the people not being educated up to prohibition: do you think there is a way of educating people up to it?—Yes. The coming generation are being educated up to it. A stranger coming here, as I did in 1882, was struck by the fact that there were so many more young men round town than in their homes, and the moment the homes are made more pleasant they become interested and are kept from hanging round the saloons.

41226. By those means you think the prohibition feeling will become stronger by and by?—It will be encouraged in that way.

41227. About granting compensation to vested interests: what is your definition of vested interests?—I explain it in this way: a man invests a certain amount of money under the protection of the law, and if prohibited by the law from the enjoyment of the results of his investment, he should be remunerated.

41228. You do not consider the law compels a man to go into the liquor business, either manufacturing or retailing?—Certainly not.

41229. It is a voluntary step, and there is a license connected with it?—If a man goes into the business and a change, which he did not expect, takes place in the law, that compels him to make an investment that he did not know of, and he is interfered with as regards his investment, I think compensation should be made if that privilege is taken away altogether.

41230. Still he carried on his business only from year to year under a license, and that only because he was specially authorized to do so by license, and he was thus a manufacturer or seller?—They are two different people.

41231. But both are licensed?—Yes.

41232. Both are licensed from year to year?—Yes, but the manufacturer has much more money invested.

41233. Then as to the question as to the number of licenses within the city: do you think that drunkenness would be greater if there were more saloons?—I do not think so. I think it would be the other way. I believe the larger the number of saloons the less drinking there is. That may appear to be a curious statement to make, but it is founded on observation. The fewer saloons in this town the greater the amount of drinking, and from the system of treatment that prevails here the result would be that more people become drunkards within a given time than if there were more saloons.

WILLIAM W. WALKER.

For instance: say there were five saloons in this town. People who drink will drink; I have found that out. They will go to those places to seek for their liquor. Say there are ten in the bar-room at one time. Each man thinks it necessary on his part to drink and afterwards return the treat. The result is that in order to go round each man must have 10 drinks. If there were more saloons and those saloons were scattered there would of course be a less number of men in each saloon; consequently the man instead of getting ten drinks would probably get three and then he would go home.

41234. You would not, then, limit the number of licensed places?—No; but I would increase the license fee.

41235. As a physician, do you consider that total abstinence is compatible with the best of health?—Not always.

41236. In what cases is it not?—Of course total abstainers avoid a great many of the quicksands of life by not taking any liquor, although most of the brightest men in the world have been moderate drinkers.

41237. Is moderate drinking harmless or hurtful?—It is hurtful.

41238. Other things being equal, has a total abstainer any better expectation of life than a habitual drinker?—Yes, all things being equal.

41239. In case of injury or illness has a total abstainer any better chance of recovering than a habitual moderate drinker?—Yes, when you put it in that way, "habitual moderate drinker."

41240. Other things being equal, are the children of the habitual moderate drinker not more likely than the children of the total abstainer to be liable to disease or some kind of physical weakness or defect?—That, of course, would depend on the constitution of the father.

41241. What is most likely to be the effect on offspring of parents being intemperate?—The first would be a desire to drink, which is supposed to be hereditary.

41242. What effect would total abstinence or enforced prohibition have on the health of a community at large?—I cannot help answering it in this way: I suppose it would be for their benefit.

41243. As to insanity. From your examination of the statistics of the insane, have you been able to determine to what extent insanity could be traced directly or indirectly to drink?—In Rockwood Asylum in Kingston, where I was assistant for a time, I think the statistics of drunkards showed they were about three-eighths of the total number.

41244. Have you from your study been able to determine whether the use of alcohol in any percentage of cases was a predisposing cause of insanity?—Yes.

41245. In any considerable degree?—I have never given that matter sufficient thought to be able to express an opinion, nor have I given the subject sufficient attention to be able to give an affirmative answer to it with any certainty.

41246. As a physician coming into close contact with the people, are you able to state what is the effect of the drink habit on domestic happiness, physical health and the intelligence and morals of the people?—The drinking habit of the father acts in two ways: either in regard to causing a tendency on the part of the child to drink, or to do wrong. With respect to happiness, of course drinking is not conducive to happiness. In Ontario several years ago (I do not know whether the Act is in force now, or not, but it was when I was living there) there was an Act by which men with drinking habits could be restrained from drinking under the law. I have seen cases in which that Act worked very satisfactorily.

*By Judge McDonald:*

41247. How do you define a habitual drinker and a moderate drinker?—The moderate drinker is not a habitual drinker; those are two different terms. I call a habitual drinker a man who takes five or six drinks a day and does not get drunk.

41248. You mean a man who keeps this up day by day?—Yes. I do not allude to a man who simply takes a glass of beer or so at his dinner, or even has a glass of beer two or three times a day some days.



JOSEPH RANDOLPH, Jr., of Harewood District, Nanaimo, mine overman, on being duly sworn, deposed as follows:—

*By Judge McDonald:*

41249. How long have you resided in British Columbia?—All my life. I was only five years old when I came here.

41250. How many years have you been an overseer?—Three years I think.

41251. Do you find the people of this section law-abiding and orderly people?—Fairly so.

41252. You have had no experience of any other country?—No.

41253. Are you favourable to prohibition or to the license system?—I am favourable to prohibition.

41254. On principle?—Yes.

41255. Are you opposed to the license system on principle?—Yes.

41256. You think such a system is wrong?—Yes.

41257. Do you think it is a sin to license the sale of liquor?—I do.

*By Rev. Dr. McLeod:*

41258. What is the effect of the liquor traffic on the men under your supervision?—We do not have a great deal of drinking among the men.

41259. Why is that?—We do not employ men who drink.

41260. Do you think the fact that you do not employ men who drink, deters men from drinking?—I do.

41261. When you refer to men who drink, what do you mean?—I refer to men who drink liquor and get drunk.

41262. What do you regard as excessive drinking?—I consider it excessive when a man cannot do his usual work.

41263. Day after day?—Yes.

41264. Do you discharge them if they lose time by drinking?—Yes.

41265. You think the rule against drinking has been beneficial to the men?—I certainly believe it has.

41266. Do you regard the system you have in force as a kind of prohibition?—It is a poor kind of prohibition, but I think it helps the men.

41267. You say you are opposed to the license system?—Yes.

41268. And you prefer the prohibition of the liquor traffic?—Yes.

41269. From your observation of the men in the mines and elsewhere, have you noticed whether their families are affected injuriously or beneficially by their drinking habits?—That is a question you could hardly decide, but, from general information I get, I think it is injurious to the families.

41270. Have you any young men employed?—Yes, quite a few.

41271. Have they the drink habit, that is any, number of them?—Some of them.

41272. Has the influence of the churches and the temperance societies had any effect on them?—Not much.

41273. Do you think the licensed drink shops are more than a match for the churches and temperance societies?—Yes, I think they are.

41274. Have you any licensed drink shops in the vicinity of your mine?—Not within 400 or 500 yards.

41275. Are there any licensed places on the property of the mining company?—No.

41276. Would the company permit the establishment of licensed places in the vicinity of their works?—No, they would not.

41277. Why not?—It would tend to create too much difficulty in the mines.

JOSEPH RANDOLPH.



EMIL ARNOLD PRAEGER, M.D., of Nanaimo, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

41278. Are you a Health Officer ?—Yes, and Surgeon of the mines.

41279. How long have you resided in British Columbia ?—Nine years.

41280. How long in Nanaimo ?—Six years.

41281. Did you come here from one of the other provinces ?—I came here from England.

41282. From your observation, are the people here a sober and law-abiding people ?—During some years, in England, I lived in the mining district ; I was one of the colliery surgeons for Lord Durham. I consider that the miners here are far more sober than those in the north of England.

41283. Are the miners almost all English ?—Yes, nearly all.

41284. What nationalities prevail here ?—English-speaking people preponderate, but there are also Belgians, Russians, Finns and Italians, in fact all nationalities are pretty well represented here.

41285. Have you observed the operation of the license law since you have been here ? Have you found it to work satisfactorily ?—There has been a marked improvement since the Sunday closing law went into force.

41286. You favour that law ?—Yes, and since it has been in force, there has been remarkably little drunkenness on the streets.

41287. Is there a strong sentiment in the community in favour of the Sunday closing law ?—I have found the majority express themselves in favour of it, even the saloon-keepers favour it.

41288. Have you reason to believe that the same weight of sentiment is in favour of the national prohibition of the liquor traffic ?—No.

41289. From your experience, do you believe that if a general prohibitory law were enacted by the Dominion Parliament it could be enforced ?—No.

41290. What would be the difficulty ?—In the first place you could never enforce a law of prohibition in this country or any other country. If men want drink, they will have it. I passed through the North-west Territories during the prohibition period, and I have also visited some of the States in the United States, where they have blue laws and where it is supposed to be impossible to get liquor, but I have found you could get as much as you wanted.

41291. In case of the enactment of a general prohibitory law, a law to prohibit the manufacture, importation and sale of alcoholic liquors for beverage purposes, do you think it right that brewers and distillers should be compensated for their loss of plant and machinery ?—Most certainly.

41292. Is there any large portion of the cases you have to deal with attributable to the use of liquor, indirectly or directly ?—I cannot say, as the people here are most sober and orderly, considering the class of people to which they belong. Take the mining class at home : it is well known that mining communities in the old country produce more drunkenness than any other community. Of course a mining community produces more offences and serious offences than any other community. I have no statistics, but from my knowledge of the north of England, I am able to say that in the mining communities the offences are more varied than in any other community.

41293. Has it been found that drinking has been carried to excess in the mining districts ?—Perhaps so in England, but I do not think it has been the case here. We have a number of north of England men here. I think a great deal is due to surroundings. In England the men are, as a rule, badly housed. The miners on Lord Durham's estates were well housed compared with other miners, but still they had not the pretty little homes that the miners here have. I think that has a great deal to do with the drinking question. Where people live huddled together, their houses back to back, and without possessing the real comforts of home, the men go out.

41294. Have you found here that the influence of religious bodies and temperance societies and moral suasion have all had a good effect on the people in regard to improving their habits ?—I suppose to a certain extent they have.

41295. Are there any suggestions you could make to the Commission in regard to the questions submitted to them?—I think the license law is the only one that it is possible to work. In my opinion, a proper license system thoroughly carried out presents very few obstacles.

*By Rev. Dr. McLeod :*

41296. Do you regard the present license system as quite up to the mark?—No, I do not.

41297. In what respects do you think it should be changed?—I would fashion it more after the English Act. In the Act in force in England when I was there, a licensed house could only keep open a certain time, according to the population of the place. For example : In London, in the neighbourhood of the printing houses, there would be a special license so that they could keep open until 2 o'clock in the morning, that being the time when the printers would leave their work. Houses not contiguous to the printing houses had to close at 12. In towns where there were a certain number of inhabitants the houses had to close at 11, and in smaller towns they closed at 10 o'clock.

41298. Was that system in operation in the mining districts to which you have referred?—Yes.

41299. I think you have said there was a great deal more drunkenness there than here?—So there was, and probably so there is.

41300. How would that system be preferable to the one here?—Because it was based on the population, and owing to the fact that there was a larger population in that part of the country, the houses keep open late.

41301. You would improve the system by appointing a certain hour for closing?—Yes, I would make the licensed houses close at a certain hour, and I would make it almost impossible for saloon-keepers to sell to a man under the influence of liquor. In that connection I wish to say that this law is not carried out strictly in this town at the present time.

41302. It is not permitted under the present law, I suppose?—No.

41303. You have spoken about being in the North-west Territories?—I passed through them.

41304. You do not know that liquor was obtainable by permit or by smuggling?—I have heard that there was a good deal of liquor brought by permit.

41305. You are speaking from hearsay rather than by personal knowledge, I suppose?—Yes ; my personal knowledge is limited.

41306. The miners here, you say, are more sober than the miners in England : have you observed that they are increasingly sober from year to year?—Yes, I think so.

41307. As a physician, what has been your observation as to the effect of the liquor traffic on home life and upon the people physically, morally and otherwise?—Wherever it is taken in moderation, I should say that it does no harm.

41308. What do you define as moderation?—That is very hard indeed to define.

41309. We have found it a very variable term.—I should say that a man takes liquor in moderation if he drinks a glass of beer at his dinner or lunch ; that is a moderate man.

41310. As a physician, do you think taking spirituous liquor with food is harmful to the system?—I believe not.

41311. Then you do not agree with the scientific view that liquor is a poison?—Liquor and alcohol are undoubtedly poisons when taken in large quantities, and the same statement may be made in regard to everything else.

41312. Then it is a matter of quantity?—Yes. Salt, which every one takes with his food, is a poison if taken in large quantities.

41313. Do you think it is desirable to still further limit the number of licensed places in Nanaimo?—In Nanaimo or any other town I do not think licenses should be granted to saloons alone ; I think licenses should be granted to *bona fide* hotels.

41314. Given a saloon in which nothing but liquor is sold and a hotel in which there is a bar, which is the greater danger to the community?—I think the saloon.

EMIL ARNOLD PRAEGER.

41315. For what reason?—The saloon exists simply as a drinking place. The hotel is established for the convenience of guests, and the man who runs a good hotel will not allow drinking or gambling or any other evil thing to take place in his establishment.

41316. As a matter of fact, do you think the hotel bar is frequented by the same people who frequent the saloon, and that there is gambling as well as sale of liquor?—It is possible.

41317. As a rule?—I could not say there is any in Nanaimo to any extent: it all depends on what is called gambling.

41318. It is contended that the hotel bar is more dangerous than the saloon, that the saloon which sells only liquor is frequented by persons who have the drink habit so thoroughly fixed that they do not care who sees them go in, for every one knows that they go in for nothing but to drink. On the other hand, it is claimed that the hotel bar can be easily visited, because you can call at the hotel to see a man for good fellowship, and afterwards go with a number of young men to the bar and drink; and it is further claimed that the hotel bar is liable to be frequented by young men who have not got the drink habit firmly fixed, and who would not go to a saloon. Considering the matter from that standpoint, do you think the hotel bar is a greater danger than the saloon?—Of course under those circumstances it might be.

41319. I think you said that you did not think prohibition could be enforced?—No.

41320. I have had a little experience of your endeavouring to enforce the prohibition against the introduction of small-pox. Do you find it practically difficult to enforce that prohibition?—No; we have not done so.

41321. I remember on Saturday night we had either to show vaccination marks on our arms to satisfy you, or be sent back to Victoria or be vaccinated?—You would have been dealt with according to the regulations. Allow me to draw this comparison. You came up a well recognized route of travel. Coming on such a route, it was utterly impossible to avoid those regulations respecting small-pox, but in the case of liquor it would not come in that way; if it did, it would have to come in disguise.

41322. If the people came by both, would there be preventive officers to meet them?—Probably.

41323. And to examine their arms?—Yes.

41324. Do you think you would be able to enforce, fairly well, regulations in regard to small-pox?—Probably so.

41325. Did you receive a circular letter from the Commission inclosing a set of questions?—Yes, and I returned the paper.

*By Judge McDonald:*

41326. Supposing you had in the community a large proportion of the people who were very anxious to have small-pox, do you think it would be difficult to prevent them obtaining it?—If they were very anxious to get small-pox, I would recommend them to go to some other town where it was prevalent and where the provincial regulations were not in force.

41327. If the same sentiment in regard to the liquor trade existed as prevails in regard to the prohibition of small-pox, there would be very little difficulty I suppose in enforcing it?—I should think that prohibition was on a different footing.

41328. If the whole trend of public sentiment was in favour of the prohibition of the liquor traffic as it is towards the prohibition of small-pox, would you not be in a different position?—If the whole public opinion was in favour of prohibition there would be no need of officers to carry out the law, because every man would be a law unto himself.

41329. You have had no experience with prohibition, I believe?—No.

41330. We have had evidence that in the North-west Territories there was prohibition, but that kegs of liquors came in concealed in barrels of sugar and crates of cabbages, and that cases made to represent books and even marked Holy Bible, came in filled with liquor?—So I have heard.

*By Rev. Dr. McLeod:*

41331. Do you find that some people come here with certificates that are bogus?—I have seen some.



41332. What did you do with them?—I destroyed them.

41333. What did you do with the people?—If they had not been properly vaccinated we vaccinated them.

41334. Even if people decided to have small-pox, you would try to enforce the law?—I would leave them to themselves.

41335. But you would still try to enforce the law as an official?—Yes.

41336. So your enforcement does not depend on the desire or non-desire of the people? If the people were very anxious to have small-pox, I would resign my position and not waste my time any longer.

41337. Do you think the provincial regulations should be attended to even if any part of the people of Nanaimo desire small-pox?—I do not know, but I would let them have it.

41338. Allow them to have the small-pox?—Yes, let them have the small-pox.

41339. You would enforce the law or resign?—Yes.

*By Judge McDonald :*

41340. I do not for a moment suggest a parallel between small-pox and the liquor trade, but it was a question following on the same line.—Yes.

*By Rev. Dr. McLeod :*

41341. I think one illustrates the other. Do you remember that in Montreal there was a riot over the vaccination question?—No, I was not in Montreal at the time.

41342. Did you read about it?—No.

41343. The militia were ordered out because the people were opposed to vaccination?—I was not in the province at the time.

Rev. D. A. McRAE of Nanaimo, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

41344. With what church are you connected?—I am a Presbyterian minister.

41345. How long have you resided in British Columbia?—Two years last July.

41346. Did you come here from one of the other provinces?—No, I came from California.

41347. Have you resided all the time you have been in this province in Nanaimo?—No, I lived in Vancouver for a few months.

41348. Taking this community as you have it and comparing it with others, have you found it to be a law-abiding and sober community?—Yes.

41349. Have you observed that the provisions of the license law are carried out by the people engaged in the trade?—It would depend on what provisions you refer to.

41350. Take the Sunday clause.—Yes; I have had occasion to know something about that.

41351. Well what about it?—I think on the whole, at least lately, Sunday observance here will compare favourably with any place in the province.

41352. You spoke of having lived in California: did Sunday observance prevail there?—No.

41353. It has been suggested that it would be an improvement if bar-rooms were required to close on Sunday. Have you formed an opinion on that point?—Yes. I am Chairman of the Central Temperance Committee in this city, and we take exception to that clause in the Sunday closing Act. It says they "should" be closed. Evidently the person who drew up that provision thought it would be a good idea to have the saloons close, but the word "should" should be replaced by "ought" in the Act.

41354. You are going to ask the Legislature to make that amendment?—Yes, that is proposed.

EMIL ARNOLD PRAEGER.



41355. What is the line of work of the temperance organization of which you are chairman?—We had an impression that the Sunday closing Act was not altogether observed, and so committees from each society and church in the city were appointed to meet about once a month or every fortnight to make careful observation during Sunday, and to report to our meetings what was going on. It is not necessary for me to go into details and tell what was reported; but I may say that the different persons made reports after careful observation.

41356. Have you many temperance organizations in the city?—Two or three.

41357. I suppose you have hardly been long enough here to be able to speak comparatively of the state of things now with what existed formerly?—I think it is much better here now than when I came first.

41358. You think changes have been brought about during two years?—Yes.

41359. Have you found that the work of the churches and the temperance societies have been good in this respect, in regard to improving the condition of the city?—Yes, in regard to our Sabbath schools, &c. I know there are men who two years ago would drink and who do not now.

41360. Have they voluntarily relinquished the habit?—Yes, and this has been brought about by talking to them, and in this way they have voluntarily given up the habit.

41361. Have you considered the question of the enactment of a general prohibitory law?—Yes.

41362. As a temperance law?—That is the ground we take—Prohibition.

41363. You are aiming at prohibition then?—Yes.

41364. And in the meantime you regulate the traffic so far as you can?—Yes.

41365. What is your opinion as to the licensing of the drink traffic: do you think it right or wrong?—I think it limits the trade. I think at the present time it is the best thing.

41366. But you would favour prohibition as a matter of principle?—Yes.

41367. I suppose your acquaintance has hardly been sufficiently long to enable you to say as to the practicability of enforcing a general prohibitory law in this country?—I know the country very well.

41368. Do you think such a law could be enforced?—I think there would be smuggling here. The people here can get articles across the boundary, and they are far cheaper.

41369. Suppose the people could not get liquor here, would they bring it across from the United States?—I do not think you could institute a comparison between the necessities of life and liquor. Liquor in itself is a luxury at best. It becomes a necessity afterwards. As a rule, if a man is poor, he wants a suit of clothes rather than liquor.

41370. You would endeavour to secure a fair measure of enforcement if such a law were passed?—Yes.

41371. Is there such a trend of public sentiment in favour of prohibition as there is in favour of the Sunday closing Act?—No, because a large portion of the people think it right to take a glass, and they are of course part of the people.

41372. In case of the enactment of a general prohibitory law, do you think it would be right that brewers and distillers should be compensated for the loss of their plant and machinery?—I have given considerable attention to the matter, and I am not able to answer it categorically. I think we cannot institute any fair comparison between the liquor trade and any other industry. Suppose I desired to get a license to-day, I could go to the license court and get a license for a certain limited time. I know public sentiment, and I am aware that there is an agitation going on against the trade, and that there is a possibility or practicability of my losing my investment in consequence of legislation on the subject. Looking at the matter in that way, I think every one entering the trade at the present time should be prepared to lose his investment, as such would be the case after the enactment of a general prohibitory law.

41373. The law requires the manufacturers to provide certain machinery and plant, and distillers are required to keep their stock for two years for rectification purposes. In case of the enactment of a general prohibitory law, do you think it would be fair to leave that liquor on their hands?—The distiller knows before he goes into the business

that he is liable to lose his investment at any time. However I would be in favour of settling the matter amicably.

*By Rev. Dr. McLeod :*

41374. What would you call an amicable arrangement?—If all the 14 liquor dealers of Nanaimo were before me, they might be brought to declare that they would all quit the business. In that case it would pay Nanaimo to compensate them.

41375. You think it might be better to have prohibition under those circumstances than not at all?—Yes.

41376. You spoke about the Sunday law not being well observed at first and your Society taking some action. Did you make any charges and secure any convictions against parties?—We did not, although there were persons who were reported and brought up.

41377. Why did you not proceed?—Simply because we wanted to give the population a chance, and it was nine months or a year since the law had been in force. The policemen were working hard. We thought the proper move was to go to the Council and to the Legislature, if we knew anything, to report to them and have the matter dealt with amicably, that the parties might have notice and be able to stop. We had no desire to harbour any feeling against the trade.

41378. You let it be understood that your society was prepared to enforce the provisions of the Sunday law?—Yes, that was the intention.

41379. Do you think it had the effect of preventing violations?—Yes.

41380. Then did you understand from that that the provisions could be enforced?—I think so.

41381. Do you think it would be well to change the license system and limit the hours during which a house may sell?—I think it would be very much better if our law in this particular was similar to the Ontario law.

41382. Now there are 26 hours in 168 hours in the week in which sale cannot be carried on?—Yes, I think it is very strange that persons are allowed to sell up to one o'clock on Sunday morning; it strikes me as being very peculiar.

41383. Can you tell why they do that?—I suppose they want to get as near Sunday as possible, and no doubt they thought if they kept open until that hour it would give a fair show to all parties.

41384. How long have you been a minister?—I have been practically engaged in the work, more or less, for 10 years.

41385. During that time, of course, you have come into contact with family life in the communities in which you have been engaged?—Yes.

41386. You have had a good deal to do with parents, I suppose?—Yes.

41387. Can you tell from your observation and experience as a minister what is the effect of the drink trade and habit on the crimes committed, neglect of children, poverty, immorality, etc?—I have taken considerable interest in looking into that question. The decisions of the Supreme Court of the United States, in which you find the history of the world, leave no doubt as to what effect it has.

41388. From your observation as a minister, have you found that the decisions of the Supreme Court have been behind the law against the liquor trade?—Yes, emphatically so. I will give an illustration in regard to a case of a man in this town. One day I was down town, and a man was drunk. His wife told me that he had been drunk since the 1st of the month, and since that time he had spent several hundred dollars. I took an interest in the man, although he did not belong in my district. I visited him when he sobered up. He stated that he was willing to be sober, but that he had not the power to resist. The only thing he said that could be done would be to put him on an island, he said, where he could not get liquor. I applied to the courts of Justice and they assisted me. We put the man under the Act relating to drunkards, and succeeded in shutting him up. He went to work again. The company gave him work. I saw him last week, and he was drunk again after pay day.

41389. Would it have been an advantage to that man if there had been no drinking places in the town?—Certainly. It is very improper that licensed dealers after they have been spoken to and warned against selling to certain people should still keep on selling; some do this and some will not do so.

REV. D. A. McRAE.

41390. You spoke about taking advantage of the Drunkard's Act. What is that?—The Act reads something like this: if it can be shown that a man gets drunk or spends his money beyond what he is able to do on liquors, he can be placed under the Drunkard's Act. Any one who gives such a man liquor can be fined according to law.

41391. Is notice given to the licensed dealers?—Yes.

41392. And they are subjected to penalties if they sell to those men?—Yes, that is a very good clause in the Act, and it is the only place where I have seen a drunkard defined.

41393. Have you had many cases of that kind?—I have heard of many, but there was no case but this one that came directly to my observation.

41394. Do you know whether in such cases liquor has been obtained by sending others to get it and thus the man has obtained it?—This man did not; he obtained it at times and at times he did not.

*By Judge McDonald:*

41395. What is the judgment of the Supreme Court of the United States to which you have referred?—I think it was the case of *California v. Christeson*, 1890. The courts stated that they traced more crimes to liquor than to any other single cause.

JOHN PAWSON, of Nanaimo, on being duly sworn, deposed as follows:—

*By Judge McDonald:*

41396. What is your business or occupation?—I am out of business; I am a gentleman.

41397. How long have you resided in British Columbia?—34 years.

41398. How long in Nanaimo?—23 or 24 years.

41399. Did you come here from one of the other provinces?—No, from California last. I have been all over the world, including Australia.

41400. Have you been in any prohibition country?—No, not except in countries where we could not get any liquor. I have been here in the mountain as a pioneer, for example.

41401. Perhaps you can give the Commission information in regard to a country where there is said to be prohibition, the Fiji Islands. Have you been there?—I have been in the Sandwich Islands, where there is high license in force. I have not been in the Fiji Islands.

41402. In what part of British Columbia have you resided, except in Nanaimo?—I have travelled all over the province.

41403. All the parts in which you have travelled, have been under a license law, I suppose?—Yes; in some places far removed from settlement there were no laws.

41404. Have you had any experience of Alaska?—My experience when I came here led me to believe that there was a good deal of smuggling going on with Alaska. My experience was, of course, second hand. I know however that large quantities of liquor were taken from here to Alaska, where there is a prohibitory law in force. I was very much interested in the description given of the manufacture of liquor in Alaska by the Indians. The natives prepare what is called a worm with kelp, 22 feet in length. They take a coal oil can, and with the assistance of molasses make hoochino.

41405. Is it a raw spirit?—Yes, it is manufactured from molasses by the Indians. At least they did so in the early days. I do not know whether they do so now, because they can import liquor without going to the expense of manufacturing it.

41406. You have had experience of the license law here?—Yes.

41407. How have you found it work, satisfactorily?—Yes, except in some years.

41408. Are there any amendments you can suggest in regard to it?—The way the law is now the power is left in the hands of certain parties, who are appointed a Board of Commissioners. Formerly it was in the hands of the police of the province. I do not



think the present arrangement is an improvement on the former one. I do not believe in giving licenses indiscriminately, and at the present time there are more licenses issued than are advantageous to the city.

41409. We have been told that there are 21 licensed places here?—Yes, and that number is quite enough.

41410. Do the licensees comply with the requirements of the law as regards closing on Sunday, for instance?—For some years I was a licensee, and during that time I must say that I never allowed gambling in my house. At that time the authorities did not enforce the Sunday closing law.

41411. Was there such a law in existence?—Not at that time. I cannot say how it is enforced now. I believe there are conscientious men in the trade who, like myself, would carry out the law whatever it was. In the early days the saloon was like the club. There were at that time none of the home comforts that are found in older settled communities, and in fact there were very few of the home comforts that exist at the present time. At that time men lived in cabins and lived roughly. Many of them lived with Indian women, and the consequence was that in the saloon you would hear the latest gossip, for news came but once a week, and there were no telegraphs. So the saloon was a rendezvous for the men to a greater extent than it is now. I do not know that there was more dissipation then than now in the saloon, but there was a different class of people in them at that time. You will find in all new countries where there is a floating population, that the men must congregate somewhere, and they meet in the saloon. The saloons and the hotels have really been the clubs in all these new countries. At the present time the population in the country is more steady, and they are beginning to feel the influences of domestic life.

41412. We are told that the people are now having comfortable homes of their own?—Yes, but they had not got them in those old days.

41413. Have you considered the question of the desirability of having a general prohibitory law passed for the whole Dominion?—I do not quite understand the question of prohibition.

41414. The prohibition asked for is complete prohibition of the liquor traffic for almost all purposes?—I object to that, for I have taken liquor for 40 years and I do not think it has done me any harm. I have always taken beer. I am opposed to such a law, on principle. I think beer does me good, and that I have a right to obtain it.

41415. From your knowledge of British Columbia, would it be practicable to enforce such a law?—There would be difficulty in doing so. The Indians would make hoochino. The people would get the vilest liquor, as is the case in all prohibition countries. At present we have the best kinds of liquor, imported by reliable men like the Hudson Bay Company, and people do not drink them as they did formerly. The people no longer drink Hudson Bay rum, but liquor of which they might drink a large quantity before becoming intoxicated.

41416. In the event of the passage of a general prohibitory law, do you think it would be right and just that brewers and distillers should be compensated for loss of plant and machinery? Like any other man who goes into business and is protected by law, I think if the law comes and sweeps away a man's business he has a right to look to the country for compensation. I go further, and say that not only should brewers and distillers be compensated, but farmers who have been in the habit of raising barley and who would have their crop of barley thrown on their hands probably and no longer have a market for it, should receive compensation to a certain extent.

*By Rev. Dr. McLeod :*

41417. Would the farmers not be able to raise other kinds of grain?—Not at the time and probably not such a remunerative crop.

41418. How long would it take a farmer to turn his land into other crops for some other market?—It would take some years.

41419. You would compensate the farmer?—Yes, to some extent.

41420. Would you carry the compensation still further, and compensate persons who had suffered loss by the liquor trade? If the law is going to that extent, I should say compensate all the parties.

JOHN PAWSON.



41421. For instance, if they are persons who claim that the traffic has ruined their homes and caused loss of property, and caused unhappiness, would it be right to compensate those parties? Yes, if they can make proof of it. If they can prove that they have suffered loss, let them be compensated.

41422. For instance, in the event of the enactment of a general prohibitory law, well enforced, would you compensate the men who could not get drunk?—I should want compensation pretty badly to bring forward such a claim, I would prefer to go to some other country where the laws were more liberal.

41423. Who would provide compensation?—I do not know, but I suppose it would be necessary to impose a tax on tea, and enough should be made out of that.

41424. That is, compensation would be paid by the people?—Yes.

41425. That is to say, that the distillers and brewers, and licensed vendors and farmers having, during a period of years, done a profitable business and laid up money, as no doubt you have done, should be compensated, and the people who have been their patrons and helped them to attain this state of wealth, should be taxed to give them some more money. Is that it?—I do not think that the saloon-keepers or the brewers and manufacturers, or the farmers, dragged these men in and made them buy liquor.

41426. Did the authorities give you a special right to sell?—Yes.

41427. When you had a license you had a special right given to sell?—Yes.

41428. The law says you may have a license for a certain period, one year, for which you pay a certain amount, and there are also conditions attached to it. At the end of that period you have no longer any right to continue without paying over again and getting a license?—Certainly.

41429. Then you take the risk as to the renewal of your license, except in British Columbia, where, we understand, some of the houses are licensed right along?—If you do not conduct your house in a proper manner, you lose your license.

41430. So far as we have been able to ascertain, British Columbia is the only province where licenses are held in perpetuity, and in all other parts of the country licensees are obliged to renew licenses from year to year, and are subjected to refusal?—They are held here subject to good behaviour.

41431. Were you a licensee before the Sunday law came into force?—Yes.

41432. Did the licensees sell on Sunday as well as on other days?—The saloons were closed between the hours of divine worship.

41433. You said that you yourself would object to a general prohibitory law. Do you know of some people to whom prohibition would be a good thing?—Yes, and I consider that they should be prohibited. I think drunkenness is a disease. When a man is diseased I consider that he should be isolated.

41434. In what way?—There have been great changes within recent years in the drinking habits, but I can remember 40 years ago, when I was a boy, going down to the cellar to get beer for breakfast.

41435. Then you think drunkenness should be prohibited?—Yes.

41436. Do you think it proper to prohibit liquor lest men should become drunkards?—No.

41437. You would let them go on drinking until they became drunkards?—I have gone on drinking and I have never become a drunkard. I think it is folly to assert that because a man goes on drinking and drinks, he necessarily becomes a drunkard.

41438. You say that when a man becomes a drunkard he should be isolated?—I do. Drunkenness is like any other disease.

41439. At some time that man was not a drunkard?—It was born in him.

41440. Is that the result of your observation?—I believe drunkenness is a disease.

41441. Inherited?—Sometimes, not always.

41442. In some cases it is not inherited. The question I ask is this: While you believe it is right to prohibit the drunkard, would it not be right to prohibit the man who is becoming a drunkard? How would you draw the line? For instance, I have Good Templars coming to me and, as a matter of deception, ask me to give them one or two drinks.

41443. Frequently?—Yes. I have served out drink to them. They said, "I will take another, I will change the glass." I did not change it, but it was only one drink. It is a system of hypocrisy.

41444. You did not have particular respect for those men?—No, I had contempt for them.

41445. Were those men numerous?—There were quite a number, men who occupied good positions in the city.

41446. How long were you in business?—I was 10 years here, and in Victoria.

41447. During that time how many men would there be coming under that description?—I should not like to tell you how many.

41448. Were there about 50?—Yes, about that number.

41449. Were some of them what are called repeaters?—Yes, a good many of them. One was a gentleman who occupied a very good position in Victoria and a man who has taken a very prominent part in temperance work.

41450. You do not believe he had any motive of deception?—I do not believe a hypocrite.

41451. You believe the Young Men's Christian Association and the Temperance societies have a good effect?—I do believe so. In early days the young men had not the chances they have now. This town used to be very rough, and we tried to get up (I belonged to that disreputable class known as saloon-keepers at that time) a suitable place, and in fact it was through my exertions that a comfortable home was provided for the young men. The trouble at that time was the lack of family society.

41452. Could you get that at the bar room?—No.

41453. Why did they not run to the bar room?—Perhaps you did not want your wife to see the little games that you would carry on there.

41454. You think the Young Men's Christian Association has had a benign influence?—Any kind of amusement has.

*By Judge McDonald :*

41455. Take the people you know who use intoxicating liquors as a beverage : is the proportion of those who use them to excess large or small?—Very small indeed.

41456. I think I understood you to say that men who use liquor to excess should be taken away from the liquor?—Certainly. I have some statistics here in regard to the United States. I was looking over some papers the other day, and I found that out of 6,637 homicidal cases that were investigated by the Bureau of Statistics there was a larger percentage of people who were total abstainers than drunkards. Those are the statistics.

COLIN C. MACKENZIE, M.P.P., of Nanaimo, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

41457. What is your business or occupation?—I am a real estate and insurance agent.

41458. How long have you resided in British Columbia?—About 34 years.

41459. How long have you lived in Nanaimo?—About 8 years.

41460. In what other parts of the province have you resided?—In Victoria.

41461. Did you come here from one of the other provinces?—I came here from Winnipeg. I went from Winnipeg to England for 5 years, and I afterwards came out here.

41462. Have you ever lived in any prohibition country?—When I was in Winnipeg we could never get liquor of any kind.

41463. Was that during the old Hudson Bay days?—Yes.

41464. Was Hudson Bay rum used in those days?—Yes, rum and brandy.

41465. To what extent was there prohibition?—None was to be had.

JOHN PAWSON.

41466. Had they no Hudson Bay liquors?—The company kept a small quantity in stock and gave it out at Christmas time.

41467. Did the factors get it?—Yes.

41468. Did they use it in their families?—They had it imported from England.

41469. Among what classes did prohibition exist?—The people generally could not get it.

41470. Then there was no direct prohibition. When the stock ran out, did they have to wait for another supply?—Yes.

41471. Which took a long time, I suppose?—Yes.

41472. Did it come in vessels from England to York Factory and thence to Winnipeg?—Yes.

41473. Does that vessel still run?—I believe it does.

41474. In this province I believe you have always had a license law in force?—Yes.

41475. Are you in favour of a license law?—Yes.

41476. Or do you favour prohibition?—I favour prohibition, but I do not think it is practicable to enforce it.

41477. Why not?—The people in this country come from the old countries, and they were brought up to consider liquor part of their daily food, and it is very hard for them to be prohibited from getting their liquor. But there are a great many people coming in now who favour temperance.

41478. Do you find there is a growing sentiment in favour of using less liquor?—Yes.

41479. In that respect the people are a law to themselves?—Yes.

41480. They abstain by their own voluntary act?—Yes.

41481. Take the case of men who are constantly brought before the police court and convicted of drunkenness and sent to jail for short terms. Does that system do the men any good, in your opinion?—No.

41482. Do you think it would be better to place them in inebriate asylums with a view to their reformation?—Yes.

41483. In case of the enactment of a general prohibitory law, do you think it right that brewers and distillers should be compensated for loss of plant and machinery?—Yes, I think so. I think it is something like slavery in the United States. It would have been cheaper for the country to have bought up all the slaves rather than to have freed them as they did.

41484. Can you make any suggestions to the Commission in regard to amending the license law that is in force at the present time?—The bar-rooms, in my opinion, should be shut up here on Sunday.

41485. The sale of liquor is prohibited, but you think it would be better to close the bar-rooms altogether?—Yes. I think the light should be put out in the rooms, and in fact no light allowed. As it is now, you always see a light in the bar-room.

*By Rev. Dr. McLeod :*

41486. You are a representative, I believe?—Yes.

41487. You represent this district in the Provincial Legislature?—Not the city but the district.

41488. Do you know whether the feeling in favour of amending the license law is general among the people you represent?—I do not know. There were a great many members in the House opposed to the Sunday law.

41489. Were they opposed to that much prohibition?—Yes, it was carried by a mighty close shave.

41490. Do you recollect the majority?—It was a bare majority.

41491. I suppose you would say that the passing of a license law was an indication of the feeling about the restriction of the trade?—Yes; but, as I told you, the people are mostly English and have English notions.

41492. And are the members of the Legislature also English, and have they also English notions about drink? Whatever we have carried in the House has been in direct opposition to the Government, with the exception of Mr. Robson.

41493. I think the Mayor of Victoria told us that the Premier helped him in the matter of the license law?—Yes, the late Premier.

41494. Have you heard that there is a growing tendency in the province in favour of prohibition?—The tendency is that way, but I do not know whether there would be a majority in favour of prohibition if it were put to a vote.

41495. You think the license law in Nanaimo is fairly well observed?—Yes, I think pretty well observed.

41496. Do you think there is illicit sale?—Yes.

41497. We understand that the licenses here are for ever, unless there is some flagrant disorder observed?—That has only lately come into force, with this last session.

The Commission adjourned, to meet in New Westminster.



NEW WESTMINSTER, November 22nd, 1892.

The Royal Commission on the Liquor Traffic met here this day.

*Present :*

JUDGE McDONALD.

REV. DR. MCLEOD.

WILLIAM B. TOWNSHEND, of New Westminster, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

41498. I believe you are Mayor of Westminster?—Yes.

41499. What is your business or occupation?—I am out of business.

41500. How long have resided in British Columbia?—35 years next June.

41501. Have you resided all that time in New Westminster?—No.

41502. In what other places have you lived?—The first part of the time I was in Victoria. I resided there off and on for 17 years, taking out visits to the east in summer.

41503. Were you in the country at the time of the gold fever?—I was there before that time, for the Hudson Bay Company.

41504. I suppose the country was very sparsely settled?—There was nothing but the Hudson Bay fort in Victoria, and camps alongside of it; there were no dwelling-houses.

41505. And Nanaimo was in the same condition?—Yes, there was just a fort there.

41506. And what was the condition of New Westminster in those early days?—When I first came here there was a line of cabins along the edge of the river.

41507. What is the present population of the town?—I think our civic census gives us over 7,000: the Dominion census makes our population somewhat less.

41508. Of what class of people is your population chiefly made up; I mean in regard to their business and pursuits?—The chief industries of the place are the canneries and mines. Then of course there are the business men, as everywhere else, and workmen.

41509. Are the men employed here men from other countries than Canada?—Yes, I think nearly every country is represented here.

41510. You mean different European countries?—Yes.

41511. Are any Chinese employed in the canning factories?—Yes.

41512. How large is the Chinese population here?—At times of the year there are not so many. We have, however, a large influx of Chinese when the canneries are at work. They come and stay for the summer.

41513. How large would the ordinary Chinese population be?—In round numbers I think we have about 1,000 here.

41514. Have you at certain periods of the year a seafaring population?—Yes, fishermen who are old sailors.

41515. They come at intervals between their voyages, I suppose?—They come here during the fishing season. Nearly all of the white fishermen here have been sailors. A good many of them are Italians and Greeks, who come here for the fishing.

41516. Have you to any extent an Indian population in the neighbourhood?—Yes.

41517. Taking your city and its population, do you find it orderly and law-abiding?—Very much so.

41518. Do you consider it will compare favourably with other communities?—With any in the world, and I have been all over the world nearly.

41519. How large a police force have you here?—Six constables and a Chief and a lock up keeper.

41520. You have also, we understand, a provincial penitentiary here?—Yes.

41521. You have, of course, the same church organizations to be found in any city of this size?—Yes.

41522. And temperance societies carry on work here?—Yes.

41523. I understand you are Chairman of the Board of Licensing Commissioners?—Yes.

41524. How many licensed houses have you here?—There are 15 hotels, two saloons and one wholesale dealer.

41525. How long have you occupied the position of Mayor?—This is my second term.

41526. Have you occupied the position of Chairman of the Licensing Board for the same length of time?—Yes.

41527. Are the saloons or places to which you have referred merely for the sale of liquor for beverage purposes?—Pure and simple.

41528. They are not required to provide accommodation for travellers in any way?—Not the saloons; they are for the sale of liquor only.

41529. Judging from your experience as Chairman of the Licensing Board, have you found the license law to be a satisfactory one?—I consider it one that has worked very satisfactorily here.

41530. Are there any suggestions that you from your experience could suggest?—I think not. With the late amendments, I think, taking our license by-law, of which I hope to give you a copy, you will find that the public interests are well guarded and protected.

41531. We were told in Victoria that a recent amendment provided that in case of any hotel having 30 or more bed-rooms it was exempted from complying with some of the requirements of the license law?—Yes.

41532. Have you any hotels here coming under that law?—No, we have not; the hotels are working under the city by-law.

41533. It was suggested to us at Nanaimo that it would be an advantage if the Sunday closing Act were amended so as to require bar-rooms to be closed, as well as prohibiting sale on Sunday?—We have that.

41534. Is that carried out by municipal regulation?—Yes.

41535. What is the amount of the license fee charged here?—\$100 every six months.

41536. We have also heard in Victoria and Nanaimo that there is a class of licenses that were granted before the license law passed, the new Act, which virtually allowed a party licensed, if he kept a respectable house, to obtain a renewal of his license by simply paying the fee every six months. How is the matter here?—It hardly arises here in that way.

41537. We found in Victoria and Nanaimo that such was the case. It appeared from the evidence that there were practically vested rights of parties who held licenses years ago, and so long as they conducted themselves properly and were not brought before the court for infractions of the law, and came every six months and paid their license fee, the Board had no right to interfere with them?—It is so to a certain extent.

41538. Have you many such licenses here?—No, I think we have none who could really claim that right, otherwise than by clause 32 in our license law. The way we work here is this: so long as hotels and saloons keep orderly and respectable houses, all the parties have to do is regularly to come forward and pay their fee, and the license is renewed without further trouble. But at the same time there is also a provision that the houses must be inspected by the Chief of Police, who is the License Inspector, and he makes a report.

41539. Please read the clause to which you referred a moment ago?—This covers the point you raised. Clause 22 reads as follows:—

“Whenever in consequence of the death of the person holding any license under the by-law, or in case of the lease having expired by the fluxion of time or by operation of the law he has been deprived

WILLIAM B. TOWNSHEND.

of the licensed premises, the legal representative of such person or the landlord or other person interested in the premises or assignee at law may on applying to the Licensing Board notwithstanding the non-protection of the license obtain a transfer of such license on such premises as may to the Board seem just : and the application of such transfer shall be accompanied by a fee of \$2.50, which shall be made as provided by the preceding clause, provided, nevertheless, that no such transfer shall be granted unless a majority of the Board is of opinion that the person to whom it is proposed to make such transfer is a proper person to hold such license."

I think that covers the point you have raised.

41540. You have said that you believe the license law works very well in its present shape. How do you find its provisions observed by licensees? Do they keep their houses closed on Sunday, and do they live up to the law?—We believe that the law works very satisfactorily. Our Chief of Police will be able to reply to any question dealing with that point.

41541. So far as your observation has extended, you believe the law is observed very well?—Very well indeed.

41542. Have you reason to believe that there is any unlicensed sale going on in the community?—I do not think so.

41543. Has any question ever been raised as to whether the persons in the trade sell liquor of poor quality; are they charged with adulterating their liquor?—We heard some years ago of cases of selling bad liquor, but I do not hear of such cases now. I think our dealers are doing a legitimate business.

41544. Have you any complaints made of sale to Indians?—Occasionally.

41545. When such complaint is made, is it a charge against a licensed person for having sold?—Decidedly.

41546. You mean people who have licenses?—Certainly.

41547. The licensed dealers?—Yes.

41548. Has any one been convicted of selling to Indians?—None lately, but there have been.

41549. In cases of sale to Indians at the present time, who makes the sales, what class of people?—It is done by long-shore toughs.

41550. Has sale of liquor to Indians been well looked after by the authorities?—Yes.

41551. Have you considered at all the question of the enactment of a general prohibitory law? Take, first, prohibition as a matter of principle?—To a certain extent it has been brought before me when sitting on the License Board. I am not a prohibitionist myself.

41552. You are not in favour of prohibition as a matter of principle?—No.

41553. From your experience and knowledge of British Columbia, do you think if such a law were passed it would be possible to enforce it?—I know it could not be enforced in British Columbia.

41554. What difficulties would you expect?—Men who want whisky will obtain it any way.

41555. In case of a law being passed prohibiting the manufacture, importation and sale of intoxicating liquors for beverage purposes, do you think it would be right that brewers and distillers should be compensated for loss of plant and machinery?—I would.

41556. There is one question that has come up in regard to a police matter, and perhaps you may be able to answer the question from your experience. Have you any people in this community who are brought before the police court for drunkenness, men who are habitual drunkards and who are convicted and sent to jail for short terms and are released and repeat the same offence?—No.

41557. You are not troubled with such persons here?—No.

*By Rev. Dr. McLeod :*

41558. In regard to the matter of licenses : do all the present licensees comply with the conditions in regard to the matter of making application? Do they obtain the names of two-thirds of the lot owners and married women within a certain range; or have licenses been renewed to them because they held licenses?—They have complied with all the conditions.

41559. You refer to the present licensees?—Yes. They cannot obtain licenses without having done so.

41560. Do those who have carried their licenses for many years comply with the conditions of the new license system?—There is no necessity.

41561. Will you read the clause applying to that matter?—Clause 32 covers it.

41562. How many of the present licensees, of whom you say there are 12, are not required to comply with the present law?—I am not prepared to say, but I think about half of them.

41563. I ask that question, because we found in Nanaimo there were only 3 or 4 who had to comply with the new regulations, the bulk of the licensees having been granted licenses under the previous arrangement?—I am not prepared to answer that question just now.

41564. You have stated approximately the number?—I should say fully half of our license holders.

41565. Is there any way by which your old-time licensees may be deprived of their licenses: has your Board any discretion in the matter whatever?—Not at all that I see.

41566. So they hold their licenses in perpetuity?—So long as they keep orderly houses.

41567. So they can retain their licenses so long as they are not guilty of some flagrant offence?—Yes.

41568. Is there any case of a license having been revoked?—Not since 1889, when our by-law was passed. There is a clause stating that a license once forfeited can never be renewed. At the time the by-law was passed there were eight who lost their licenses.

41569. They were guilty of some infraction?—They kept disorderly houses.

41570. Have there been any hotel licenses revoked?—Not within my knowledge.

41571. Take the case of sale to Indians: were the licensees deprived of their licenses?—There have been very few and never a repetition; a man once caught never repeats it. I do not remember any.

41572. Have you any reason to believe that licensees sell during prohibited hours?—I have not.

41573. I think you have said that there is no sale other than by licensees?—I feel sure of that.

41574. Do you feel sure that there is no sale between 11 Saturday night and 1 o'clock on Monday morning?—I think the by-law is well carried out.

41575. Do you think in the hotels there is no sale on Sunday?—Hotels are allowed to supply their guests.

41576. At the bar or in their rooms?—In their rooms.

41577. Not in the bar-room?—The bar-rooms are locked up. So far as I know myself, all the bars have screens.

41578. We found it a complaint in Victoria and Nanaimo, that although there was prohibition of sale on Sunday, the bar-rooms were open and people sat in them and smoked, and the people thought the law should be amended in that respect. But it seems from your statement that they are closed here?—I do not go round myself, but I know that in the "Colonial" the bar-room is locked up entirely.

41579. Is that closing of the bar-room in compliance with the license law or with the municipal ordinance?—It is under our city by-law. We have a special charter for ourselves. We are working under a new charter obtained four years ago, and it is a special charter.

41580. Then you have some privileges that other cities do not enjoy?—Yes.

41581. In what does the present license law differ from the one preceding it?—One of the principal points of difference is that there is more care exercised in granting licenses. There are precautions taken to carry out the law more strictly than was the case under the old law, and its provisions are well carried out.

41582. Under the old system did you prohibit sale?—No.

41583. Do you think these different restrictions are beneficial?—I do.

41584. Has the Sunday closing regulation had a beneficial effect on the city?—Decidedly so.

41585. Are there less drunkards noticeable?—Yes.

WILLIAM B. TOWNSEND.



41586. There is less disorder than there was formerly?—Yes, and our Chief's report will bear me out in that statement.

41587. Do you think it would be well to limit still further the number of licenses granted in New Westminster?—I think we have enough for a town of this size.

41588. If there were too many they would injure themselves and some would be forced out, I suppose, for competition would be too keen?—Yes.

41589. Have you observed, during your long stay in British Columbia, whether there has been any growing change in the drinking habits of the people?—Yes.

41590. Are there fewer people drinking, or are there more?—There must be more, because there are more people here and pretty nearly all take a drink once in a while.

41591. Bearing the increased population in mind, do you think the ratio of drinking is greater now than formerly?—It is less, decidedly.

41592. To what do you attribute that change?—There are more homes now and society generally is no doubt better than it was in 1862, when the majority of the population were miners, and very few women were here, and there were very few homes compared with the number there are now existing.

41593. You think home influence has something to do with drinking habits?—Decidedly.

41594. The churches, I presume, exercise some influence, and also temperance and other societies?—Certainly.

41595. Do you think there is a change in the sentiment towards the drink traffic as it is carried on?—Certainly, there is a change.

41596. What is the change?—The temperance societies have exercised a good deal of influence here.

41597. They are pretty strong?—Yes; one influence has been to deepen the feeling against the traffic.

41598. You mean they think badly of it?—Yes, that is natural.

41599. Have they had any effect on the community at large?—Yes; I think they have to a certain extent.

41600. You said, speaking about prohibition, that you were not in favour of prohibition yourself. Have you observed whether there is a growing sentiment in favour of prohibition in the province?—I cannot speak much of the province, for I have been in New Westminster lately. In New Westminster I certainly do not think so.

41601. Do you think public sentiment is growing in that direction?—I certainly do not think we want prohibition here.

41602. Is there a growing feeling among the people in favour of more restrictions being placed on the liquor traffic?—If there is, I never heard any expression given to it.

41603. How did it come about that the different restrictions were increased lately by the Legislature?—There was a feeling in favour of it. Before that law was enacted, saloons had been kept open all day and on Sunday.

41604. Was that change the result of public feeling being against the present system?—No, not specially on that account. I was a member of the Council at the time the by-law was passed; it was passed because they thought it would be good for the city.

41605. Would that seem to indicate that there was a public sentiment and a demand that more restrictions should be imposed, and that there should be a restriction especially as regards sale on Sunday?—Yes, you might take it in that way.

41606. The Council appeared to represent public sentiment in that matter?—Yes.

41607. You spoke about the impracticability of prohibition. Do you object to prohibition on principle, or because it is impracticable?—I think it is impracticable right here.

41608. If it were practicable, would you still object?—Personally, I do not believe in prohibition; I believe in temperance.

41609. When the present system came into operation, requiring the signatures of two-thirds of the lot owners and married women on a petition for a license, did not all the people now holding licenses have to comply with that condition: or as old licensees did they continue?—They went on. The only applicant under the law fulfilling this condition of the law was one this year. The others are old licensees.

THOMAS C. ATKINSON, of New Westminster, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

41610. I understand you are Police Magistrate for the city?—Yes, and I am also Justice of the Peace for the district of New Westminster.

41611. How long have you resided in New Westminster?—Eight years.

41612. Have you lived anywhere else in British Columbia?—No.

41613. Did you come from one of the other provinces?—Yes, from the County of Peel, Ontario.

41614. When you came to this province, was the license law in force?—Yes.

41615. We understand that some amendments have been made?—Yes, several.

41616. In the discharge of your official duties have you been called upon to investigate and try cases of breach of the license law?—I am, when such cases occur.

41617. How do you find the license law to work here?—We find it work very well.

41618. Are you a member of the Licensing Board?—Not now, and I have not been since the new charter came into force. I was for two years. I was then Police Magistrate and was a member of the Licensing Board, but I have not been for the last 4 years.

41619. How long have you been Police Magistrate?—Since 1887.

41620. We have learned from the Mayor that you have special privileges under the city charter, and a law for the closing of bar-rooms on Sunday in addition to the prohibition of sale on that day?—Yes.

41621. Have you had many cases before you of breaches of that law?—No, only one case since that by-law came into operation; it was some three years ago. The Sunday closing law applies to all branches of business; there has only been one case in regard to the sale of liquor on Sunday.

41622. How many cases of unlicensed sale have you had before you?—We have had no cases of unlicensed sale, that is to say in any unlicensed house. We had two cases of sale at the fair on the grounds, but there has been no case in connection with any house.

41623. Have you had very many cases of sale to Indians?—A great many years ago that was one of the difficulties we had to contend with.

41624. What class of people are generally guilty of that charge?—Persons charged are almost wholly persons whom you might call jail birds.

41625. They are not persons holding licenses then?—No. The only case in which a person holding a license was charged with selling liquor to Indians was five years ago. On investigating the case we found that the case was a false charge, and that the man refused to supply an Indian with liquor. We even found that the Indian who asked the person to supply him with liquor afterwards laid the charge; but of course he was not supplied. We found on investigating the charge in the police court, that there was nothing in it.

41626. Have you many cases of drunkenness brought before you?—No.

41627. Viewing this community from your experience as a Police Magistrate and also as a citizen, do you think it is orderly and law-abiding?—Yes, very much so.

41628. Comparing it with other communities, how do you find it?—I think it compares very favourably with other communities of the same size or with much larger cities.

41629. You investigate cases sent for trial to the assizes, I suppose?—Yes.

41630. Taking that class of cases, do you find any proportion of them are directly traceable to the use of intoxicating drink?—No, I cannot say that they are really traceable to intoxicating drink, although they may be in particular cases.

41631. Were any cases those of Indians charged with criminal offences?—Yes, one was.

41632. Then we understand that here you have a class of men of different nationalities engaged in the canning business?—Yes.

41633. Does the presence of those people add at all to the amount of crime; I include breaches of the municipal by-laws?—No, I cannot say that it does. Of course during

THOMAS C. ATKINSON.

the fishing season when the canneries are running full blast, we have more cases in the police court, but they are not cases of serious nature.

41634. You have here no doubt church and temperance societies?—Yes.

41635. Do all those have a tendency to promote temperance and temperance work?—Yes.

41636. Have you noticed any change here since you came, in what might be called the social habits of the people?—Yes, I have noticed great changes.

41637. There is less drinking now than there was formerly?—Yes.

41638. Have you considered at all the question of prohibition?—I cannot say that I have considered it very much. I considered it when it came up for discussion.

41639. Taking the province as you know it, and taking your experience of it, do you think prohibition could be enforced in it?—No, I do not; I do not think it could be enforced; I think it would not work. My reason is based on what I know of prohibition in the east, and in places where the Scott Act was in force.

41640. Then you have had experience under the Scott Act?—Yes, in two counties under the Scott Act, Halton and Dufferin. I know the working of the Scott Act pretty well in Halton. I was here two years and went back east, and during that time it was carried in the County of Dufferin. I went into the town one evening, although I had been hundreds of times before, during the occasion of a large gathering and I never saw so many drunken people in the town in one evening as when the Scott Act was in force. It was the same in other places. I was also in Cornwall when the Scott Act was in force there. From what I saw of the operation of that law, I am satisfied that it would be very difficult to enforce prohibition.

41641. You understand that one of the phases of the proposed enactment of a national prohibition is the prohibition of the manufacture, importation and sale of intoxicating liquors for beverage purposes?—I understand so.

41642. Of course under the Scott Act the people had the right to bring in liquor for their own private use?—Yes.

41643. Taking such a prohibitory law as is proposed, what is called national prohibition, it would involve the right of search both of the residences and persons of the people?—Yes, I understand that.

41644. And the right to search travellers passing through the country and everything of that kind. From your opinion of the country, do you believe it would be possible to carry out such a law?—Not without the greatest trouble and difficulty.

41645. From your knowledge of the country and of the sentiment of the people of British Columbia on that subject, do you think such a law would be backed up by the people?—That is a difficult question to answer.

41646. From your knowledge of the people of British Columbia and from your knowledge of the sentiment prevailing, do you believe that the trend of public sentiment would be such as to make possible the enforcement of such a law?—I think that is a difficult question. There are a number of people who express themselves in favour of prohibition on sentimental grounds, but who would not assist in carrying out the law.

41647. In case of the enactment of such a law, prohibiting the manufacture, importation and sale of intoxicating liquors for beverage purpose, do you believe the distillers and brewers should be compensated for loss of plant and machinery?—I think so, because it would be only following the law of equity.

41648. Have you any suggestions you could offer to the Commission on the question of the traffic, either in regard to its regulation or otherwise?—No, I do not think so, because in connection with my official duties I find that our laws in the province at the present time are very liberal, and I think the liquor traffic is kept under control.

*By Rev. Dr. McLeod:*

41649. Do you keep the court records?—Yes.

41650. Have you many cases before you of one kind and another?—Yes, we hold the court daily.

41651. Of all the cases that come before you what percentage are for drunkenness?—I could not answer that question off hand.

41652. Will your records show it?—The court books show every charge.



41653. Is there a statement made in your annual report?—Yes, we have an annual and also a quarterly report.

41654. Does it appear in the police records?—Yes. We also make a monthly report to the Council.

41655. Will it show what percentage cases of drunkenness bear to the whole number of offences coming before you?—You can tell that by looking over the record.

41656. Please file a copy of last year's report, which will include such a statement?—There is a copy in the court.

41657. I find from the copy here that before the police court in 1891, there were 259 cases and of those 132 were drunks, or one-half of the whole. Do you think that is a fair average?—Yes.

41658. Then I notice there are assaults, assaults with intent to do grievous bodily harm, breaches of the by-laws, disorders on the streets, cruelty to animals, disturbing worship in church, fighting, frequenting houses of ill-fame, keeping such houses, perjury, robbery, selling intoxicants to Indians. So it would appear that there were 122 cases of drunkenness and 137 other cases. Can you tell what proportion of the 137 cases were traceable to the drink habit and drink traffic, directly or indirectly?—I will not undertake to give a correct statement, because I would only be hazarding an answer.

41659. Can you tell the number approximately?—It would only be a guess.

41660. Take the eight vagrants: would not any proportion be due to drink?—Yes, I should say so in regard to vagrancy.

41661. Take the assaults: would any proportion of them be due to drink?—Yes, very probably.

41662. Take breaches of the by-laws and disorders on the streets?—Yes, they would.

41663. Take disturbing divine worship, only one such case having occurred; cases of frequenting houses of ill-fame, and there were four of them, and there were three cases of inmates and three of keepers. Were all those connected with the drink traffic and the drink habit?—I could not say that you could charge them to drink.

41664. Have your officers found on raiding houses of ill-fame that liquor was always there?—I do not think in regard to those particular matters that the report shows anything about liquor.

41665. Take cases of larceny: would any be due to liquor?—I could not say. I do not think they would be directly traceable to liquor, although in some cases it might be so.

41666. Would it be within bounds to say that 50 per cent of the cases would be in some way connected with the drink trade and habit?—It is altogether probable.

41667. You spoke about being in Scott Act counties east. Were you visiting there, or were you staying there for any length of time?—So far as regards Dufferin, I was there for a visit, because I lived just along the line outside the town.

41668. I thought you paid a visit there after you came west?—In one case it was a visit, but I was there for a considerable time.

41669. Do you think, from your personal experience during a lengthy period, that drunkenness increased during the Scott Act?—I am not prepared to say there was any increase, but I know it was very common.

41670. You have expressed the opinion that prohibition could not be enforced in British Columbia. Would you state briefly your reasons for holding the opinion that it could not be enforced? What state of things exists here that would make enforcement difficult? I said it would be difficult. My reasons for giving that answer are these: in the first place, our position here is one that makes it very easy to carry on smuggling; we have great opportunities here for doing that.

41671. I suppose there is smuggling of some classes of goods now?—Yes, occasionally, but I do not think very much.

41672. There is smuggling of opium, I believe?—Yes.

41673. I think they have that repeated in the far east?—Yes, smuggling is a business with some people.

41674. Do you think that some men would go into the business of smuggling liquor, if a prohibitory law was enacted?—I do.

THOMAS C. ATKINSON.



41675. Do you succeed pretty well with the Sunday prohibition of the liquor trade?—Speaking from my official observance, I say yes, because we have no cases before the court.

41676. No cases have been brought before you?—No.

41677. Have you reason to believe that there is a feeling that there are violations of the law, even though no cases have been brought against offenders?—You mean in the city?

41678. Yes.—I have no reason to think so.

41679. Then the law, you think, is fairly well observed?—Yes, so far as I know.

41680. Do you think that the police have great difficulty in seeing that the provisions of the law are observed?—I do not think so; if there was any difficulty they would bring the parties into court.

41681. Is the law observed because of the great vigilance and faithfulness of the police, or do the licensees observe the Sunday Closing Act irrespective of the police?—That is hard to say. I should not like to say that it was altogether irrespective of the police, and yet I would not like to say that the licensees make no sale on Sunday because of the police.

41682. Suppose the police were less vigilant, would the Sunday Act be as well observed as it is to-day?—I have no reason to say no. I think a negative answer to that question would be probably sentimental; but speaking from what I know, I have no reason to say no.

*By Judge McDonald:*

41683. Are you a barrister?—I am.

41684. Take a prohibitory law, which you believe would be impossible of enforcement, what would be the effect on the public conscience of having on the statute-book a law that was persistently and frequently violated?—Very bad; better have no law than one that is not observed.

*By Rev. Dr. McLeod:*

41685. Supposing the Sunday law here was flagrantly violated, would you think it well to repeal it or to enforce it?—Enforce it by all means. As supplementing my answer to the previous question, I desire to mention that we have an amendment to our license law whereby it is provided that the licensee selling to any intoxicated person whatever is liable to a fine and severe imprisonment; and moreover we have the Youth's Protection Act, which is of very great service.

41686. What is the limit of age?—Sixteen years.

41687. Have you observed any sale of liquor to boys under 16 years?—I think since 1887, there has only been one case under that Act. We have also another Act which is very beneficial, that is the Drunkard's Act, by which drunkards can be interdicted and placed under the provisions of the Act for 12 months. Although that Act has been in force for years—I am speaking from memory only—I have had occasion to make an order out for only one individual case.

41688. Is that application granted on the petition of the man's wife?—Yes, or on the application of the individual himself. In this case it was made on the application of the individual himself in the first instance.

41689. He wanted to be protected?—Yes.

41690. Although there has only been one case of interdiction and at the person's own request, yet there were 122 drunks before you last year?—Yes.

41691. Do you believe the fact that there was only one interdiction indicates that there are no drunkards in New Westminster, or do you believe from this record that there are a good many?—I do not believe that there is only one drunkard here, neither do I believe there are a good many. You must consider that a great many of those cases are cases of people passing through the city. They occasionally come up in the Police Court, and when I ask where they came from, they probably say from the other side of the line or from Vancouver.

41692. Are there many repeaters here?—Yes, there are a number of those cases, but not very many. You could not judge in regard to drunkenness by the number of

interdictions, because very many of the drunkards are only labouring men, and of course there would be no person to look into their affairs or to see to the enforcement of the Act in their behalf, for of course it is not the duty of the police to do so.

WILLIAM MORSELEY, of New Westminster, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

41693. What position do you occupy ?—I am Governor of the Provincial Jail.

41694. Are there other jails here ?—There is a penitentiary, a provincial jail, and a lock-up belonging to the municipal authorities.

41695. How long have you resided in British Columbia ?—I have been here since 1860, I think.

41696. Did you come here from one of the other provinces ?—No, I came from England.

41697. How many prisoners have you in jail at the present time ?—Somewhere in the neighbourhood of 50 or 60.

41698. Charged with different offences, I suppose ?—Yes.

41699. Are they all under sentence ?—Almost all are, but some are awaiting trial.

41700. What is the length of term of imprisonment of prisoners under your control and in your jail ?—23 months on one offence. They can be in for two offences and serve one term and then another.

41701. Then prisoners for over two years are sent to the penitentiary ?—Yes.

41702. Are prisoners sent to your jail from different parts of the province ?—Yes.

41703. Are you able to say whether any proportion, and if so whether it is a large or small one, of the prisoners under your charge are there owing to drunkenness ?—In one way and in different ways.

41704. You believe that a proportion of the prisoners there are there owing to drunkenness ?—A large proportion.

41705. Are any of those persons convicted of drunkenness ?—Very few.

41706. They are convicted for other offences which you attribute directly or indirectly to the use of intoxicating liquors ?—Yes.

41707. Have you as a citizen observed the operation of the license law in this community ?—In some particulars I have.

41708. In your opinion does it work satisfactorily ?—In some instances it does.

41709. What are the instances in which it does not ?—I think there should be more restrictions placed on the licensees in regard to the liquor sold by them, as to the quality, and as to the parties to whom they should sell.

41710. Would you favour, then, the rigid inspection of liquor in licensed houses ?—Yes, most assuredly.

41711. What is the difficulty as to persons to whom sale is made ?—In some instances they will sell to men who have already taken a quantity, and they cause them to become drunk.

41712. That is contrary to law ?—I am speaking more especially of the district.

41713. Then you are not speaking of the city but of the country parts ?—Yes, of the country parts.

41714. Have you had any experience of a prohibitory law ?—No.

41715. You have not been in any country where prohibition was in force ?—No.

41716. From your knowledge of British Columbia, do you believe if a general prohibitory law were passed for the whole Dominion, prohibiting the manufacture, importation and sale of intoxicating liquors for beverage purposes, it could be enforced ?—I do not. I think it would be impossible to enforce such a law in British Columbia.

THOMAS C. ATKINSON.

41717. For what reason?—The people would be able to get liquor from the American side, and they would also distil it and manufacture it for themselves. Besides that, the country is so large that it would be impossible to enforce such a law. In fact the Indians north manufacture liquor for themselves.

41718. Are you acquainted with the northern part of the country?—Yes, with part of it. I have to go up there often.

41719. What do the Indians use in manufacturing the liquor?—I believe sea-weed is used.

41720. In case of the enactment of a general prohibitory law, do you believe that brewers and distillers should be compensated for loss of plant and machinery rendered useless?—I should certainly say so.

*By Rev. Dr. McLeod :*

41721. Have you many juvenile offenders here?—Very few, according to the population.

41722. Of those 60 offenders, for instance, how many would be under 18 years of age?—I have only one boy.

41723. So they are all old persons or persons between 20, 30, and 40?—The average would be about 35.

41724. Do we understand you to say that persons are not sent to the provincial jail merely for being drunk?—No; but for other offences. I have now some committed for trial on charges of murder, three or four cases, and a good many cases of burglary and selling whisky to Indians.

41725. And you have cases of petty larceny and such offences, I suppose?—Yes.

41726. I understand that, in your opinion, the license law might be improved. Do you think it would be well to limit the number of licenses granted in a town like this, even more than they are limited now?—I do not see that if you did so, it would make any difference. I do not think there are too many here.

41727. Do you find that incarcerated in jail here are any percentage of these people who have frequented the saloon when not in jail?—There are a few cases.

41728. Do you have many Chinamen among the prisoners?—A good many Chinamen.

41729. What are their offences, generally speaking?—Mostly selling liquor to Indians and petty larceny and assaults, especially assaults on one another.

*By Judge McDonald :*

41730. Take the persons in jail for murder and serious crime : of what class are they and what race?—At present we have an Indian charged with killing a white man, and one Indian for killing another Indian ; and we have also the case of a man and wife killing a prostitute or the keeper of a house of ill-fame.

*By Rev. Dr. McLeod :*

41731. Do you know whether the majority of the men charged with serious offences or with petty offences that come under your charge, are addicted to the drink habit?—I believe they all drink.

41732. Do you have many total abstainers incarcerated?—No, I have had a few. I have had the Blue Ribbon card taken away from them.

41733. Which class form the majority, the total abstainers or the other class?—I should say the other class.

*By Judge McDonald :*

41734. Are you in a position to say which class is in the majority in this community, total abstainers, those who drink immoderately, or those who take liquor in moderation?—There are very few moderate drinkers in the jail.

41735. Then they are mostly people who drink immoderately? Yes, persons who come from the American side and who are travellers.

WILLIAM HOUSTON, of New Westminster, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

41736. What position do you occupy?—I am Chief Constable of the city and also License Inspector.

41737. How long have you lived in British Columbia?—About 2 years.

41738. Where did you come from?—From Manitoba.

41739. How long have you been Chief of Police?—A year and a half.

41740. Were you on the police force in Manitoba?—Yes, 11 years on the provincial and city force. I was on the city force in Winnipeg about 5 years.

41741. Were you ever in the North-west Mounted Police?—No, never.

41742. Taking this community as you have found it and with your knowledge of it and of other communities, do you believe that it is a sober and law-abiding community?—Very much so.

41743. You think it compares favourably with other communities?—Yes, with any in which I have lived.

41744. Both as License Inspector and as Chief Constable you are brought into contact with the people and the carrying out of the license law?—Yes.

41745. How do you find the law works here?—It works very well; as well as it works elsewhere.

41746. Is it worked satisfactorily or not?—The law is satisfactorily carried out.

41747. That is your experience as an official?—Yes.

41748. Do the people in the trade conform to the provisions of the law?—Yes.

41749. Have you reason to believe there is any unlicensed sale of liquor going on in the community?—No, I have not.

41750. We have heard of sale of liquor to Indians: those are individual instances, I suppose?—Yes, but of those who have licenses at the present time I do not think there is one who sells to Indians.

41751. As to the observance of the Sunday closing law, what is your experience?—It is very well observed here.

41752. Our attention was called by one of the witnesses to an amendment which he thought necessary, namely, in regard to having a thorough and frequent inspection of liquor made. Do you think such an amendment is necessary?—It might be a wise course to pursue. I have reason to believe that liquor is better here than in Ontario.

41753. Have you had any experience of a prohibitory law?—Yes, to some extent.

41754. Where?—In the Lake of the Woods district during the construction of the Canadian Pacific Railway, at Rat Portage, where I was 1½ years.

41755. Whose section was that?—Mr. Heeney's.

41756. He was the contractor?—Yes.

41757. Was it under prohibition provided by the Public Works Act?—Yes.

41758. Were you an officer?—Yes.

41759. Were you able to enforce the Act?—No, it was impossible.

41760. What was the difficulty?—Smuggling.

41761. What class of people did the smuggling?—Railway men did a great deal of it, and men who made a business of it.

41762. What kind of liquor did they bring in?—Liquor of very poor quality.

41763. In what kind of vessels was it brought?—In barrels, with meal packed all round. Sometimes it was in barrels carried in front of the engine, and these would be dropped off at different points.

41764. Did you faithfully endeavour to carry out the law?—I did.

41765. But you found it impossible to do so?—Yes.

41766. From your experience and knowledge of this country, do you believe a prohibitory law could be effectually enforced and carried out?—Not if they had such a law as there was in Manitoba or the North-west Territories. It would be easy to bring it from the United States.

WILLIAM HOUSTON.



41767. What do you think about continental prohibition. Do you think that could be successfully carried out?—I consider that there would be illicit manufacture then.

41768. Have you any knowledge of illicit manufacture where you have been, in Manitoba and elsewhere?—Yes.

41769. By whom?—By farmers.

41770. What did they use?—The only case that I really know personally was on seven years ago, and I do not know what was used.

41771. In case of the enactment of a general prohibitory law, a law to prohibit the manufacture, importation and sale of alcoholic liquors for beverage purposes, do you think it would be right to compensate brewers and distillers for loss of plant rendered useless?—Yes.

41772. From your experience as an officer, can you make any suggestion to the Commission as to amendments in the license law that would render it more effective?—The license law here is very different from that in Manitoba or Ontario. No doubt a good many amendments could be made that would be effective. I think the standard of holders of licenses should be put very high and the standard of accommodation should also be placed very high.

*By Rev. Dr. McLeod:*

41773. Do you think it would be well if the saloons were all required to close at night? Under the British Columbia license law this does not appear to be necessary, according to the evidence before us in Victoria and Manitoba.—We close here at 2 o'clock in the morning.

41774. And open when?—Open again at 6 o'clock.

41775. Would it be an improvement if they were required to close earlier here?—No, I do not see that it would.

41776. So they all keep open until 2 o'clock?—No, very few of them keep open after 11 or 12, for business ceases and they close.

41777. We had it in evidence in Winnipeg from a gentleman who had a very large section of the Canadian Pacific Railway to construct, I think east of Winnipeg, that he enforced prohibition on his section during the construction period, and enforced it effectually. Mr. Sifton is the gentleman to whom I refer?—I never heard of it.

*By Judge McDonald:*

41778. He stated that with a constable he succeeded effectually in enforcing prohibition during construction?—It was not during my time. I think there were seven police there, and it was not done.

*By Rev. Dr. McLeod:*

41779. Is it your duty as Inspector to see that the conditions under which licenses are granted are carried out?—Yes.

41780. As to the number of rooms?—Yes.

41781. In what other respects?—To see that the houses are well kept.

41782. Do you visit the places periodically?—Yes, every month and almost every week.

41783. Do you find that some do not comply strictly with the provisions of the law?—I have not found many yet.

41784. Do you find it difficult to enforce the Sunday clause of the law?—Not at all.

41785. Do the licensees do it?—Yes, and the citizens support them.

41786. In what way?—By not patronizing them on Sunday.

41787. Have you had no complaints of violation of the law?—No.

41788. You therefore believe there are no violations?—I have reason to believe there are none.

41789. Do you visit the hotels to see whether the laws are complied with or not?—Yes.

41790. Are their bars closed?—Yes. When I say closed, you must remember that there is no prohibition against lights being used, and therefore you would imagine from the outside that business was going on simply because the bars are lighted.

41791. But most of them have lights burning?—No ; some have and some have not. In some cases the bar-room and the sitting-room are all one, with the exception of a board partition running half-way up.

41792. There are no folding doors?—Yes, but they only go three-fourths of the way up. My opinion is that the bar should be entirely separate from the rest of the house.

41793. You think that would make it easier to observe the law?—Yes.

41794. How many of the present licensees—and we understand they are 17 or 18—have complied with the requirements of the law which says that they shall obtain three-fourths of the signatures of the lot owners and married women in the neighbourhood?—We have not had any.

41795. Then they were all old licensees?—You understand that the hotels having over thirty rooms have not to comply with that. That rule applies only to those making new applications for the first time.

41796. Has this condition to be complied with?—Yes.

41797. Have a certain number of licensees complied with those conditions?—No.

41798. So we are to understand that all had licenses when the law came into operation?—Yes.

41799. And therefore they are not to comply with those conditions?—I suppose so.

41800. Were both saloons in existence at that time?—I could not say.

41801. Did they have to comply with that condition?—I could not say.

JOHN C. BROWN, M.P.P., of New Westminster, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

41802. What position do you hold?—I am postmaster.

41803. I understand you are also a member of the Legislature?—Yes.

41804. For what district?—For this city ; during 1890-91 I was Mayor of this city.

41805. How long have you resided in British Columbia?—Thirty years.

41806. Did you come here from one of the other provinces?—No, from Ireland.

41807. Is this city an orderly and law-abiding one?—Yes.

41808. Have you found any changes in the social customs of the people in regard to the use of intoxicating liquors. Was there more drinking when you came to the province than there is to-day?—I think so. I am not, however, in a position to speak of that, because I do not drink myself, and am not as a rule where drinking is going on. Still I think the answer of the witness who preceded me put the case very fairly ; we have now an altogether different state of affairs. Now there are more homes, the drinking now is more for good fellowship, at all events it does not come out as plainly as it did in the old days. Besides, people who thought nothing of going to the bar and drinking twenty years ago, would not do so now.

41809. Have the influences of church organizations and temperance societies been favourable to the decrease in the drinking habits of the people?—Yes, decidedly so.

41810. The Mayor said that in the early days there was more drinking, because the surroundings were different than they are now?—Undoubtedly.

41811. You think all these elements have to be taken into consideration?—Yes, for they all have their influences.

41812. You have stated that you, yourself, are a total abstainer?—Yes.

41813. Have you considered the question of prohibition?—Yes ; but I should like to say something, particularly in regard to that question about drinking habits, having special reference to New Westminster. I am very glad to hear such strong testimony from the officials in regard to the moral standing of this city. I think it is only fair to attribute a good deal of this to our charter, which gives us a better license law than prevails in any other part of the province. We have more restrictions and they have

WILLIAM HOUSTON.

taken a special form. There is a clause of the by-law by which no saloon keeper can be granted a license until the number falls below two ; in fact two is our maximum number of saloon licenses. There is another point I may mention in this connection. After that by-law was passed there were constant applications, even as late as when I was a member of the Licensing Board, to have the Board break that law ; there were applications made for saloon licenses which could not be granted under the Act.

41814. Take the license law as it is now in the city, does it work satisfactorily ?—It works much better than the general license law of the province.

41815. Are you personally in favour of a license law as opposed to prohibition ?—No.

41816. You favour prohibition ?—Yes. I do not know how fully you have entered into the matter.

41817. I do not wish you to go into the matter further.—I want to explain my reasons. I think they are sufficient to lead me to favour prohibition. I think prohibition promises to produce such satisfactory results as to warrant a trial of it as an experiment. My objection to the license law, and I have very strong objection to it, is because I object to the community deriving part of the public revenue from what I look upon as an improper act, as licensing a trade which creates crime.

41818. So in principle you look upon it as wrong to license the liquor traffic ?—I certainly think so.

41819. Do you consider it an improper thing to do ?—Yes.

41820. Therefore, on principle, you favour prohibition ?—Yes.

41821. Do you consider, from your experience of British Columbia, that it would be practicable to enforce prohibition in this province ?—I can speak very uncertainly in regard to most of the province, except with regard to New Westminster and district. I have resided in this city for 30 years, excepting three and a half or four years. Taking the people of this district as a whole, I think such a prohibitory law as you describe could be enforced as well as the Customs laws are carried out.

41822. How are your Customs laws enforced ?—Very well.

41823. You mean as regards making people pay duty on articles brought in ?—Yes, and preventing smuggling.

41824. Suppose it would be possible to prevent, by a law, articles being brought into the country, duty or no duty, could such a law be as easily enforced ?—It depends entirely on what the articles were ; you could not starve people.

41825. Then you see there is a difference between the ordinary collecting of duties and preventing articles being brought in at all ?—My position is, that taking a national prohibitory law on the statute-book, it would be the duty of all loyal people to support that law. If that law was enforced by every person whose duty it was to enforce that law, I think it could be enforced as well as other laws. I believe the public sentiment in New Westminster supports the license law more than it did at first.

41826. Have you had any experience of a prohibitory law ?—No, I have never lived in any prohibitory country.

41827. Do you know of any country in the world where such a law is in force ?—No ; of course I can only speak from my reading and study.

41828. So it would be an experiment ?—Yes.

41829. An experiment well worth trying ?—Yes, I think it would be well worth trying. What I mean is this, from all my reading. Of course I have not much to do with that class who are acting under the license law, and legally so, but who have a vested interest and a financial interest in opposing a prohibitory law. I think that influence would, of course, be very strong against the enforcement of such a law. Then we have a community saturated with the idea that a certain quantity of liquor is necessary, even many temperance people and moderate drinkers think that. So there we have it. When we have a diseased body we cannot expect that the application of remedies will be felt in a moment, but we must allow a little time.

41830. As a member of the Legislature do you think the legislative body is representative of the opinions of the people ?—Yes.

41831. Supposing you had the constitutional right as a province to carry such a law as you wish, do you believe that the Legislature constituted as it is would carry such a law ?—I think we would not do so now.

41832. In case of the enactment of such a law, a law to prohibit the manufacture importation and sale of alcoholic liquors for beverage purpose, do you think it would be right and just to remunerate brewers and distillers for loss of plant and machinery rendered useless? That is a question I have not deeply considered, but the men now engaged in the liquor traffic are engaged legally, and therefore it would seem fair to me that they should receive some compensation if their business was taken away from them. But my answer to the question you asked me a little while ago about our Legislature should be qualified in this way: I desire to explain that the Legislature represents only one-fourth of the people of the province, because the representation is based on a system 20 years old, and the province has changed so that the large constituencies have small representation and the small ones large representation. So while our Legislature would act as I have indicated as at present constituted, it would afford no fair test.

41833. Has this question of prohibition been made a test vote at any election?—No.

41834. So the people have not passed on it in any form?—They have not, to my recollection.

*By Rev. Dr. McLeod:*

41835. If it were made a test question at the general elections, have you any idea what the result would be? I could hardly answer that question, because so much depends on the personal popularity of the candidates and upon personal considerations, for one party might have a man who would not be elected under any circumstances and you might have a man almost certain to be elected whatever his party. These considerations would influence the election very much.

41836. Do you think it would be well to have a plebiscite taken here as was done in Manitoba?—I do not really know; I have not considered the question at all.

41837. But I understood you to say that the Sunday enforcement of the license law had created a public sentiment in favour of those restrictions?—As I understand it, I think so and I feel it is so. I think the sentiment in favour of it to-day is stronger than when it was passed, that is I believe the majority recognize the benefit that it has conferred.

41838. As a representative man and as a man who has observed the business affairs of the province, have you observed what effect the liquor traffic has had on the business interests of this country during 6 years?—I scarcely know how to answer that question. I have known one or two cases where men failed in business because they drank to excess.

41839. Has the liquor traffic, as it has been carried on, been harmful or not to other business interests, speaking in a broad way?—Of course I have no facts or figures, but I should say it has been harmful.

41840. Have you noticed the effect of the liquor traffic on the moral and social life of the community?—I think the Governor of the Jail answered that, when he said that he had no total abstainers in the jail.

JUDGE McDONALD. The witness did not say he had no total abstainers there.



ISAAC B. FISHER, of New Westminster, on being duly sworn, deposed as follows:—

*By Judge McDonald:*

41841. What is your business or occupation?—I am out of business; formerly I was Manager of the Bank of British Columbia.

41842. How long have you resided in New Westminster?—In all for 30 years, although I was absent for about 10 years.

41843. Did you come here originally from the mother country or from one of the provinces?—I came here from the mother country.

41844. Have you held any public position?—No.

41845. Have you found this community, as a whole, law-abiding and orderly?—Yes, exceedingly so.

41846. Have you considered the question of prohibition?—Yes, to a certain extent.

41847. From your knowledge of the country, do you think a prohibitory law would be practicable of enforcement in British Columbia?—Certainly not, unless you wish to ruin the country.

41848. What would be the difficulty?—A great portion of the people would leave.

41849. In case of the enactment of a general prohibitory law, do you think it would be right to compensate brewers and distillers for loss of plant and machinery?—Certainly.

41850. In case of the enactment of such a law as is sometimes suggested, a law prohibiting the manufacture, importation and sale of alcoholic liquors for beverage purposes, the enforcement of it would carry with it the right to search persons and houses throughout the country. From your experience of the province, do you think such a law could be carried out here?—Certainly not.

41851. You say you have been a banker?—Yes.

41852. Have you observed that the business interests of the country have been affected in any way by the liquor traffic?—No, I do not think it affects them at all.

*By Rev. Dr. McLeod:*

41853. Please explain what you meant when you said it would ruin the country?—It would ruin it, for a good many of the population would not live in such a country. A man who loves his liberty would not be dictated as to what he should eat and drink; I for one would not.

41854. So your objection is to the principle it involves?—Yes.

41855. Are the customs laws well observed here?—I believe so.

41856. Do you consider it right to search personal baggage under the present customs law?—I believe so.

41857. There is search of person also?—Yes, and very objectionable it is sometimes.

41858. Do you believe it would be well to repeal that feature of the law?—I certainly do.

41859. Would its repeal promote smuggling?—I do not think so. Suspicious characters should be searched, but to search everybody is ridiculous.

41860. How is the law worked now?—A sufficient number of officers are employed, and they seem to enforce the law pretty well.

41861. Parliament sees fit to enact such a law and the people submit to it with more or less grace, I suppose. Do you think they would not submit to a similar requirement in the event of prohibition?—I am sure they would not.

41862. Have you observed whether the drink traffic has an injurious effect on the community in any way?—Not on this community at all events.

41863. Neither upon individuals nor upon family life, nor upon business affairs?—Of course there are exceptional instances.

41864. Are the cases exceptional, or is it the rule?—Certainly it is exceptional.

41865. How long were you manager of the bank?—For 19 years, but not all the time here. I was in California for 4 years.

Rev. EBENEZER ROBSON, of New Westminster, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

41866. With what church are you connected ?—I am a minister of the Methodist church.

41867. How long have you resided in British Columbia ?—Nearly 34 years, but I was absent during 12 years of that time.

41868. How long have you been in New Westminster ?—9 or 10 years altogether at different times.

41869. We have had placed before the Commission the deliverance of your church which was given in 1890, in Montreal, I think ?—Yes.

41870. Do you individually concur in that deliverance ?—I was a member of the committee which prepared the deliverance, and voted for it.

41871. That is representative of your feeling on the question of prohibition ?—Yes.

*By Rev. Dr. McLeod :*

41872. From having lived so long in British Columbia, I suppose you know the country pretty well ?—Yes, a good part of it.

41873. Can you give us an idea of the changes that have taken place in regard to the sentiment about the liquor traffic ?—There has been a very decided change as to the drinking habits. Of course the people who came here in the early days did not care what the people thought of them. I was among them, and while they were a very strong and kindly sort of men they would indulge pretty freely in drinking liquor ; but now there is more home life and social customs have greatly improved in regard to the use of intoxicating liquors. Most of the people who come here now have been accustomed to greater restrictions ; some having lived in prohibitory places, and they do not seem to care to take liquor.

41874. Have you been able from your experiences to compare any two places, one under enforced prohibition and the other under the license law ?—I resided in two places in Ontario where there was local prohibition, one was in Dundas County and the other in Northumberland County, and there was a better state of things than ever existed before ; and yet the law was violated to a certain extent. I went east two years ago and on my return spent three days in the North-west Territories. The only case I can remember of any one having liquor was once at a gentleman's house, where they had beer on the table.

41875. Do you know whether it was there by the Governor's permit or not ?—I am quite certain that it was there by permit.

41876. You have expressed yourself as being in favour of prohibition ; that is prohibition as described by your Conference. In the event of such a law being passed, do you think brewers and distillers should be compensated for their loss of plant and machinery rendered useless ?—I do not think so. It would be right I think to give them formal notice to wind up their business, as they spoke of doing in England.

41877. How many years have you been a minister ?—36 years.

41878. During that time you have come into contact with families. Will you tell us what your experience has been as to the effect the liquor habit and traffic have upon domestic happiness, neglect of wives and of children and of religion, and as to crime &c. ?—The effect of my experience and observation has been such as to lead me to advise every body to keep away from liquor and to never use it except as a medicine.

41879. Have you observed what the effect has been on those engaged in the trade ?—I suppose it has the worst effect.

41880. You mean it has worse effects on them than on the consumers ?—I think so, because a man puts himself in a position where he helps men to go in the wrong direction, and in this he does himself a very great injury, in my opinion.

REV. EBENEZER ROBSON.

PATRICK McTIERNEN, of New Westminster, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

41881. What is your occupation ?—I was Indian Agent until within the last few years.

41882. Under the Dominion Government ?—Yes.

41883. How long have you been in British Columbia ?—Thirty-six years.

41884. How have you found the people as regards sobriety and orderly conduct ?—I have found them first class, except during one or two years, during railway construction in this province ; then it was terrible.

41885. What was terrible then ?—The drunkenness and the fighting.

41886. I suppose a new class of people were coming in ?—Yes.

41887. Did the province put no restrictions on them ?—No, they let them fight away.

41888. There was no prohibitory law in force then ?—No.

41889. There were a great many strangers in the country at that time, I presume ?—Yes.

41890. From your knowledge of British Columbia, do you believe a prohibitory law could be effectually carried out, a law to prohibit the manufacture, importation and sale of alcoholic liquors for beverage purposes ?—I never gave that matter any study.

41891. Then you are not in a position to say ?—No, I am not.

41892. In the event of the enactment of such a law, would you deem it right that brewers and distillers should be compensated for loss of plant and machinery ?—Of course if it was taken away from them, why not ?

*By Rev. Dr. McLeod :*

41893. How long were you Indian Agent ?—Eleven years.

41894. The sale and giving of liquor to Indians are prohibited, I believe ?—Yes.

41895. Do they sometimes get it ?—They do.

41896. Does liquor have any bad effects on them ?—It has very bad effects on them.

41897. Of course it was your duty to see that they got none, if possible ?—Yes. During those 11 years the work which the missionaries and myself did among them changed them very much. Take a community of 60 or 70 Indians, and you will find more drinking Indians and drunken Indians among them than you will find among a corresponding number of whites.

41898. Are they changed so as not to desire drink any longer ?—Some will go any distance to get it, even to Washington Territory.

41899. But some of them are getting civilized, are they not ?—Some would not take it on any account.

41900. You think it is a good thing to keep it away from them ?—I do.

MRS. MARIANNE CUNNINGHAM, of New Westminster, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

41901. How long have you lived in New Westminster ?—Thirty years.

41902. Did you come here from one of the other provinces ?—I came here from Ontario.

*By Rev. Dr. McLeod :*

41903. We understand that you are President of the Women's Christian Temperance Union here ?—Yes.

41904. How long have you been connected with the union ?—Ten years.

41905. What branch of work does the union carry on here ?—We conduct service in the jail here every Sabbath ; we conduct a mission and look after the social evil.

41906. You do rescue work, I presume ?—Yes, and we have a home in Victoria.

41907. Speaking of the rescue work, do you find that the unfortunates who ask for help are addicted to the drink habit ?—They all are.

41908. Do you find, in regard to your work in the jail, that a large percentage of the prisoners are victims of the drink habit ?—I think they all are. I think it is the one thing that drives them back to their bad habits as soon as they have reformed. They fall in with their old companions as soon as they get out of jail, and are liable to return again.

41909. As one living in this community for so many years and active in this work and observant of what is going on, will you tell us briefly what are your observations of the effects of the drink habit and the drink traffic on the community in regard to its morals and its effect on domestic life and on young people ?—I consider it is an unmitigated evil everywhere. There is no home in which liquor is used that is not worse for the people using it. In a great many of the homes with which we have to do there is great want and misery caused by drink.

41910. Do you find that most of the want and poverty with which you have to do is traceable to drinking ?—Entirely so. If it were not for drinking there would be no poverty and want, for there is plenty of work for every man in this country who honestly desires it.

41911. Do you find the children brought up often become victims to drink owing to the drinking habits of the parents ?—Yes, the tendency must be in that direction.

41912. What is the position of your organization on the question of prohibition ?—We believe in prohibition direct.

41913. Your Union has made a deliverance to that effect ?—Yes, we have, associated with our efforts in sending petitions to the Dominion Parliament.

41914. Do you think the prohibition sentiment is growing in this community ?—I think so.

41915. Have you or your society observed the working of the license law here, whether it is satisfactory or otherwise ?—I consider it is very unsatisfactory in a great many ways.

41916. In what respects ?—Because, as was observed a few moments ago, all the licenses were granted a great many years ago, so that the licensees do not consider the feelings of the public at all. If these same licensees were compelled to obtain the signatures of two-thirds of the lot owners and married women, they would not find it possible to obtain them.

41917. So you understand that under the present license law, you have no power at all over them ?—No power over them whatever. I also consider that the liquor trade as such should be separated entirely from the hotel, that it should stand on its own basis the same as any other legitimate business. If it is considered legal, it should stand alone, and when a man goes there to drink he should go there to drink and should not be considered one of the guests of the hotel.

MRS. MARIANNE CUNNINGHAM.



41918. That suggests the question as between saloon and hotel: which do you consider to be the more dangerous to the community?—I think the hotel is the more dangerous.

41919. You have expressed yourself and also the feeling of your society in favour of prohibition. Have you given thought as to the matter of granting compensation to brewers and distillers in the event of the enactment of a general prohibitory law?—Yes; I have studied that matter. I think the trade has no more right to be compensated than any other business.

*By Judge McDonald:*

41920. I think you said that there was not a home in New Westminster in which liquor was used that some injury was not done?—Certainly, because people cannot use liquor without wasting their money. It is a poison and not a food. With the money people spend on liquor, they might do good, or at least spend it in a better way.

41921. Do you think you have any right to say in what way people shall spend their money?—I do not think the people have a right to offer a bad example to their neighbours, and thus injure the community.

41922. So you would lay down a law as to the way in which people should spend their money?—In the same way that a man has no right to injure his neighbour by using poison of any kind.

The Commission adjourned, to meet in Vancouver.

VANCOUVER, November 23, 1892.

The Royal Commission on the Liquor Traffic met here this day.

*Present :*

JUDGE McDONALD.

REV. DR. McLEOD.

FRED. COPE, of Vancouver, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

41923. What is your business ?—I am a merchant, and I am also Mayor of Vancouver.

41924. How long have you resided in British Columbia ?—I came here four years ago last September.

41925. Did you come here from one of the other provinces ?—I came here from Ontario.

41926. From what part ?—From Norfolk, in Simcoe County.

41927. How long have you been Mayor of this city ?—This is my first year ; I have been Mayor since last January.

41928. Are you elected as Mayor directly by the people ?—Yes.

41929. Taking the city as you find it, do you consider it an orderly and law-abiding community ?—Yes, very much so.

41930. Will it compare favourably with other cities with which you are acquainted ?—I think so.

41931. You have, I suppose, a very mixed population here and different nationalities are represented pretty well ?—Yes, very cosmopolitan.

41932. What is the population of the city in round figures ?—Over 20,000.

41933. What would be the proportion in round figures of the Chinese here ?—I think 1,000 would be correct.

41934. I believe you have not many Indians in the city ?—No ; they are on the reserves.

41935. I suppose at certain seasons of the year you have quite a seafaring population here ?—We have all the year round ; there are always 6 or 10 vessels here from all parts of the world.

41936. Is the city constantly growing and increasing ?—Yes, very rapidly. The Commissioners must have seen, in driving around, the many new buildings that are going up.

41937. You are under the license law of the province, I suppose ?—Yes.

41938. Are you a License Commissioner by virtue of your office ?—Yes.

41939. Are you Chairman of the Board ?—Yes.

41940. How do you find the license law to work here ?—I think it works all right.

41941. Do you remember how many licensed places there are in the city ?—55 retail, 8 saloons, 63 licenses, and there are some 6 or 7 wholesale places.

41942. We have found in cities in British Columbia that there are licenses which are said to be perpetual almost in their nature, so that men who held licenses before the license law, or the new law, if they conduct themselves properly, have merely to come and pay their fee and nothing is said ?—That is not so in this city. They have to possess certain qualifications, and the Inspector goes round and sees that these are carried out.

FRED. COPE.

41943. Are there no hotel or saloon-keepers who by virtue of having been in the trade for so long, have not to fulfil the requirements of the law as regards ratepayers signing their applications for license?—I do not think so.

41944. Have you any special law in this city that would exempt people from presenting petitions signed by lot owners and their wives?—There is nothing against it in our charter.

41945. Have you had any such petitions before you?—Not this year.

41946. Have you a special charter here?—Yes.

41947. Have you such charter from the Provincial Legislature?—Yes.

41948. You have power to make by-laws for the city?—Yes.

41949. Do you think the Sunday closing law is well observed?—Yes.

41950. Have you reason to believe that there is unlicensed sale of liquor in this city?—I have no reason to believe so.

41951. Is your Chinese population a sober one?—Yes.

41952. Do you know whether there is any sale made to Indians in the city sometimes?—There might be, but very seldom.

41953. When sales do occur, are they made by licensed dealers or by outsiders?—They are mostly made by outsiders, in fact I have not heard of a case this year of a licensed dealer selling liquor to an Indian.

41954. We understand that in this city you are making provision for the recreation of the people in the direction of providing small parks for people and other improvements?—Yes.

41955. Are there other places of recreation where the public can go without going to the parks?—The park is the only place we have at present. We are making a park in the east end, but we have just got started. The park we have at Brockton Point is the only park we have at present; it is the Standard Park.

41956. Have you had any experience of a prohibitory law?—I have.

41957. Did you have that experience in the County of Norfolk?—Yes. I was also in a parish where the Dunkin Act was in force for one year. Norfolk was under the Scott Act for three years.

41958. What was your experience of the Act?—It was very unsatisfactory in those counties.

41959. How was it under the Dunkin Act in the township?—Just the same. I had one of the leading businesses in Simcoe. The Act did not stop the sale of liquor, in fact I think it added to the number of places that sold it. The people would not get it openly, it was done on the sly.

41960. Then the effect was not for good?—No, it was not. At the end of the three years it was dropped.

41961. Have you had experience of prohibition in any other country?—No, that is all.

41962. Take British Columbia as you have known it, do you think it would be practicable in this country?—I could not say; but as regards the drinking habits of the people, I do not think we are any worse than any other people.

41963. Take your country with its geographical position and vast coast line, do you believe you would be able to keep liquor out, supposing a law were enacted prohibiting the manufacture, importation and sale of alcoholic liquors for beverage purposes?—It would require a lot of policemen to keep liquor out of the province.

41964. You understand that such a law would carry with it the right of searching both house and person in order to ascertain that no liquor was being smuggled in?—I am judging New Westminster by the experience that I had of the Scott Act. Liquor under that law came in in all shapes. The first week probably half of the people did not sell, but after that they sold, and more places started up. The hotels were compelled to raise their prices. One gentleman, who was a strong supporter of the Act when it came in, was in a hotel and was charged 10 cents more for the meal than he had paid the preceding week. When he found that it was because of the Act, he wanted it repealed. Liquor, however, was sold all the same.

41965. Do you know anything as to the quality of the liquor?—It was the same as before; I did not hear that there was any difference.

41966. You have said that you do not think the drinking habits of the people exceed those of people elsewhere?—Yes.

41967. Are all the churches and temperance organizations working on temperance lines?—Yes, they are all in excellent shape.

41968. Taking your population here as a whole, are they people from foreign countries?—No, there are more people here from the east; this is a Canadian city.

41969. Are there any suggestions you could offer to the Commission, from your experience, in the direction of amending the present license law?—I do not think so. We went into the matter carefully last spring, and made such amendments as were necessary.

41970. How strong is your municipal police force?—We have 12 men.

41971. And a chief constable?—Yes, and a sergeant.

41972. Are there any provincial police here?—Yes, we have one man.

*By Rev. Dr. McLeod :*

41973. We understand that Vancouver is under the provisions of the license law?—We have a special charter, and we make a license law of our own.

41974. Is there any way in which the number of licenses can be limited?—We have 55 licenses now, and we cannot increase the number until there is an increase in population.

41975. Has the Board of Commissioners discretion in issuing licenses?—Yes, they have that power.

41976. Does the Board use discretion in issuing licenses to saloons?—Yes, we have eight at present and we cannot have another until the population increases.

41977. Have you regulations in regard to closing after certain hours?—Yes, they close at 11 o'clock and on Sundays.

41978. At what hour do they close on Saturday?—The same hour.

41979. And open on Monday morning at what hour?—At 6 o'clock at one time, but I think the hour is 2 o'clock now.

41980. We noticed on the Island that the only prohibition as to hours was from 11 on Saturday night until 1 o'clock on Monday morning, and the licensees could keep open all night on week days?—Yes.

41981. Have you, as a business man, observed what is the effect that the liquor traffic has on trade interests and on the social condition of the people?—I do not know that it affects us here the same as anywhere else, because the business men are too busy to drink much.

41982. There would seem to be a great deal of drinking in connection with 55 places?—You would think so. There is however a floating population always coming here, and they do the most of it. I think it is as quiet here on Sunday as in Toronto.

41983. But taking the question in a broad way, what do you think is the effect of the liquor traffic on the business interests of a community? Is it good or bad, beneficial or injurious?—I should say that it is beneficial; at least it is not worse here than anywhere else.

*By Judge McDonald :*

41984. You have said that in Norfolk they had to increase the price of meals to make up for the loss of the bar, and that when they did so, there was opposition?—There was opposition raised at once by the very men who advocated the Scott Act.

41985. In the event of the enactment of a general prohibitory law, do you think the brewers and distillers should be compensated for loss of plant and machinery? I should say that in justice they should be compensated.



THOMAS F. McGUIGAN, of Vancouver, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

41986. What position do you occupy ?—I am City Clerk of Vancouver.

41987. You are appointed by the City Council, I suppose ?—Yes.

41988. How long have you resided in British Columbia ?—Eight years.

41989. Have you lived all the time in Vancouver ?—No, I was part of the time in the mountains, at Donald and Fairwell.

41990. Did you come here from one of the other provinces ?—From the North-west Territories, originally from Perth in Ontario. I have lived in the North-west Territories and Manitoba for three years.

41991. Do you find this community a sober and law-abiding one ?—Yes.

41992. Have you any duties to perform in connection with the license law ?—No, I have nothing to do with it.

41993. You do not receive the license fees ?—The City Treasurer gets them.

41994. Speaking as a citizen, do you think the law works satisfactorily ?—I think it does so here in comparison with other places.

41995. Have you observed whether the Sunday closing law is observed ?—It is observed very strictly as far as it goes ; the town is orderly on Sunday.

41996. From your knowledge of British Columbia, do you think it would be practicable to enforce a general prohibitory law ?—I do not believe it would.

41997. What would be the difficulty ?—My experience of places where liquor was prohibited was, that there was almost any amount on hand and it was of the cheapest quality ; and further, that there was more of it drunk than when there was a license law.

41998. Was it cheap to the buyer ?—It was of cheap quality and high price.

41999. Was it poor quality ?—It was very poor ; most of the liquor was mixed with water.

42000. That was your experience ?—Yes, in the North-west Territories, and also in the mountains, where liquor was brought, and where no licenses were issued during railway construction.

42001. On what part of the road ?—At Donald and also at Laggan.

42002. Was liquor prohibited under the Public Works Act ?—Yes.

42003. Was liquor brought in ?—Yes, it was brought in by different means from the south.

42004. Were efforts made to stop it ?—The police were on the watch the whole time, but could not prevent it coming into the country.

42005. Was the quality of the liquor brought over the mountains of the poor quality of which you have spoken ?—Yes ; as a rule.

42006. Was any effort at concealment made in regard to bringing it in ?—Generally it was brought in under cover of night and by the most unfrequented paths.

42007. Was it concealed in packages containing other goods ?—In butter kegs and all that sort of thing. It is also brought in in the shape of Bibles, etc.

42008. Of what material were the vessels made ?—Of tin.

42009. You mean they were vessels made to look like Bibles ?—Yes.

42010. You say that a similar state of things prevailed in the mountains ?—Yes.

42011. Was the liquor brought in from the United States, or from parts of Canada, or from both ?—Liquor that came into the North-west Territories generally came from Winnipeg but some came from the south. If you resided out a certain distance, liquor came from Fort Macleod.

42012. The remark you made in regard to bringing in liquor applied, I suppose, to bringing in liquor that came by railway or by way of the mountains ?—Yes ; by both routes.

42013. So, from your experience and knowledge of this country, you believe a prohibitory law would be impracticable ?—It would be a failure and could not be enforced.

42014. In case of the enactment of a general prohibitory law, would you deem it right that brewers and distillers should be compensated for loss of plant and machinery ?—I think so, if they were cut off short.

*By Rev. Dr. McLeod :*

42015. Do you think there was more drinking in the North-west Territories under prohibition than there was under a license law?—There seemed to be more desire to get liquor than there has been in Vancouver, where liquor is free to everybody. Every one seemed to be on the lookout for some way of getting it in secretly.

42016. We have had it in evidence in the North-west Territories, and I think in the mountains also, from officials and authorities, that prohibition under the Public Works Act during construction days brought about a very excellent state of things and prevented a great many disorders that would otherwise have arisen?—I had experience in that country, and I found that there was any quantity of liquor consumed.

42017. Speaking about liquor being brought in in the shape of Bibles: was that general?—It was not general, but it was brought in in that way.

42018. Was there a great deal of disorder among workmen during the construction period?—Certainly not.

42019. Then order was fairly well maintained?—Yes.

42020. It was only in the towns where liquor was sold as a rule, not where the men were working: they would have to come to the towns in order to get liquor?—Yes.

42021. Did the men drink sufficient liquor to cause them to neglect their work?—There were individual cases of that.

42022. Speaking about liquor in Vancouver, do you think the number of licenses might be reduced here with advantage?—I think so, for there are too many.

42023. You mean there are too many for the size of the town?—Yes.

GEORGE A. JORDAN, of Vancouver, on being duly sworn, deposed as follows:—

*By Judge McDonald :*

42024. What position do you occupy?—I am Police Magistrate for the city.

42025. Are you also a Justice of the Peace?—For the district.

42026. How long have you resided in British Columbia?—Nearly four years, at all events over three and a half years.

42027. Did you come here from one of the other provinces?—From the town of Lindsay, Ontario.

42028. Are you a barrister?—I am not a barrister in this province.

42029. Your appointment comes from what authority?—From the Provincial Government on the recommendation of the City Council. Formerly the appointment was made by the City Council, but the province took over the appointment of Police Magistrates last year.

42030. Do you find this community to be a sober and law-abiding one?—I do, generally speaking.

42031. How does this community compare with communities east?—It compares most favourably.

42032. I mean with similar communities in eastern Canada?—Yes.

42033. I suppose you found a different population here?—Yes; we have a very cosmopolitan population here.

42034. Have you many seafaring men here?—Yes, quite a number.

42035. You have also quite a Chinese population, I suppose?—Yes.

42036. Have there been many cases of drunkenness among them?—No, I do not think there has been any case of drunkenness before me on the part of the Chinese, not that I remember.

42037. Does the annual report of the police authorities show the number of cases coming before your Court and the number of offences?—There are also monthly reports made up by the Clerk of the Court.

THOMAS F. MCGUIGAN.

42038. Taking the number of cases that come before you as a whole, what proportion of the cases would be cases of drunkenness?—I should think the proportion would run from 50 to 75 per cent, say 60 per cent.

42039. Of the cases outside of those charged with drunkenness, what per cent of the cases would be indirectly due to it? I refer to cases of disorders and assaults, &c.?—There are a good many due directly, but I could not give a percentage of those due indirectly to it; there are a good many due in that way.

42040. Are you a License Commissioner?—No, I am not.

42041. Speaking as a citizen, how do you find the license law to work here?—Very well, I think. I have had one or two cases of violation since I came on the Bench, but they were with respect to the Sunday Closing Act.

42042. Where those latterly or on the inception of the law?—At about the inception of the law or a little later.

42043. Have you reason to believe that there is unlicensed sale in this city?—There have been no cases before us. Of course there might be some that I do not know of.

42044. You have had no prosecutions before you?—No.

42045. We understand that your police force consists of 11 men?—Yes.

42046. Do you consider that is sufficient for the work they have to do?—Hardly sufficient.

42047. That force for a city of 20,000 is very small?—It is not sufficient.

42048. You require some men for patrol duty, I suppose?—Yes, because at times there are more ships than at other times, and of course the population is floating.

42049. Then you are working your men hard?—Yes.

42050. Are the police supposed to look after breaches of the license law?—They are supposed to do so.

42051. If breaches of the license law occur, are they supposed to inform the Inspector?—Yes. I do not know whether that is on the orders or not.

42052. Have you had any experience of a prohibitory law in any country?—No. I was in the County of Victoria when the Scott Act was in force.

42053. How did it prohibit there?—Very poorly.

42054. What was the trouble?—There was as much liquor drunk as when there was no prohibitory law in force.

42055. Was there any sale of liquor?—Yes, nearly all the hotels sold and many other places which had never sold before.

42056. How long was that Act in force?—About three or four years.

42057. Was it repealed at the end of the term and at the first opportunity the people had?—Yes, it was repealed.

42058. Taking British Columbia as you know it and considering its position and its population, do you believe that a general prohibitory law could be practically enforced here?—I do not think it would be practicable to enforce prohibition; I do not think it could be done.

42059. What difficulties would be in the way here?—In the first place, we are too near the boundary. There are a great many vessels coming in and out of the country also, and the country is so large, I think there would be a lot of illicit stills established all over the country, and it would require a large force of men to look after such a law.

42060. You understand that what is meant by prohibition is the prohibition of the manufacture, importation and sale of alcoholic liquors for beverage purposes, which would be accompanied by the right to search persons and houses?—Yes, that is what I thought of as prohibition, and I do not think it would be possible to enforce that law.

42061. Do you think in the event of the adoption of a general prohibitory law, brewers and distillers should be compensated for loss of plant and machinery?—I do, certainly. They are carrying on a legitimate business.

*By Rev. Dr. McLeod:*

42062. Could you furnish the Commission with your court record?—I could.

42063. I think you said that from 50 to 75 per cent of the names coming before you were for drunkenness pure and simple?—Yes.



42064. I suppose your men do not arrest men who are drunk if going home peaceably?—I do not think they are exempt from arrest, because the terms of the Statute must be complied with.

42065. But you have no power to impose penalties upon them for simple drunkenness?—No, I have no such power.

42066. Of the other cases coming before you, what percentage would be due indirectly to the liquor traffic and habit?—I should think between 10 and 15 per cent. I have not, however, calculated that, but merely estimated it.

42067. Has there been an increase or decrease in the number of offences coupled with inebriety during your term of office?—I think if anything there has been a decrease, or the number stands nearly the same.

42068. You spoke about the order and sobriety of Vancouver as compared with other communities. To what other communities did you refer?—I referred to communities in the east.

42069. Did you mean cities and towns?—Yes.

42070. Say Toronto?—Yes.

42071. You have said that officially you have no knowledge of any illicit sale going on in this city! As a citizen, have you reason to believe there is any going on?—Yes, I have.

42072. Have you reason to believe there is illicit sale by licensees, sales during prohibited hours?—Such cases have not come within my knowledge.

42073. You have spoken about the Scott Act having been in force in Ontario. To what do you attribute the weak enforcement of the law?—I think the authorities did all they could, but there seemed to be something against the law. The hotels sold and some of the parties were fined and imprisoned, and some people who had never sold before sold then, and they would start up little places in one way and another.

42074. Do you think the prohibition of the drink trade in those places increased the drinking?—I think people wanted to drink more.

42075. In speaking of the impracticability of prohibiting the liquor sale in British Columbia, you mentioned the boundary line. Is your view of the impracticability based upon your knowledge of attempts made to enforce a prohibitory law in other places, or your knowledge of this country?—Both. The country is such that it is very easy to smuggle, and we are aware that smuggling of opium goes on, and although the authorities on the other side of the line are also endeavouring to enforce the law, it is very difficult to stop the traffic. I do not see why alcoholic liquor could not be brought in the same as opium is brought in to-day.

42076. Opium smuggling is successfully carried on, I believe?—Yes, I believe so.

42077. Of course there are seizures made?—Quite frequently.

42078. Do you think it would be well to repeal the law prohibiting opium coming in, and pass a law to allow it to come in, and so avoid having it smuggled in?—No, I do not think it would be well to allow opium to come in freely.

42079. What notice do you think it would be well to give brewers and distillers in the event of the enactment of a general prohibitory law for Canada?—It would be very difficult to judge in regard to that matter, because some of the people in the trade might have a very much larger stock to dispose of.

42080. So you refer to machinery and plant?—I could hardly say. Not being in the business, I could not name the terms.

42081. You think that at all events some notice should be given them?—Yes.

42082. Do you think that brewers and distillers carry on business only from year to year. Does not that put the matter on a different footing from other businesses, and should they have special advantages granted them?—Not more than other businesses.

42083. Is it not a fact that a change in the tariff sometimes causes loss to people in different businesses or trades?—Yes.

42084. Have they not a right to receive compensation?—They cannot all get compensation very well. I do not believe they could be compensated.

*By Judge McDonald:*

42085. In the case of the tariff law, you understand that legislation is indirect and is not levied at individuals?—It is not levied at individuals.

GEORGE A. JORDAN.



42086. Do you not consider that brewing and distilling are on a different footing from other businesses, and that therefore the brewers and distillers should receive compensation?—Yes.

42087. You are doubtless aware that the brewers and distillers are required to put in special machinery whenever the law demands it, and distillers are further required to keep their liquor in stock for two years for rectification purposes?—I am aware of that fact.

42088. In the case of opium, is opium admissible after duty has been paid?—Certainly; it is a case of revenue in regard to opium.

42089. But it is not allowed to go into the United States?—No.

42090. Not for medicinal purposes?—Yes, but not for smoking.

42091. In this country it is allowed?—Yes, the duty is collected.

42092. In regard to the number of persons brought before you charged with drunkenness: is the percentage of outsiders the larger?—Yes.

42093. Is the large proportion composed of what is called the "floating population"?—Yes, I think so; I had four before me this morning, and all were outsiders.

42094. They were picked up by the police?—Yes; they came in on the ships.

42095. Taking the people as you know them, is the percentage of those who use liquor immoderately larger than those who use it moderately?—I think the larger proportion would be those who use it moderately.

42096. Does any large percentage of those who use alcoholic liquors, use them to excess?—I think the percentage is a very small one.

42097. You have spoken of what you saw in Victoria County. What is the effect on the community of having a law on the statute-book that is persistently and flagrantly violated?—The community fails to respect the law, and the effect is not good.

42098. Do you think such a law has an educational effect?—Not if it fails to be enforced?

42099. You think the officials did their duty in Victoria. Had they the sentiment of the community behind them to aid them in enforcing the law; were they backed up by public opinion in doing so?—Pretty well.

42100. Why, then, was not the law successful?—I do not know.

42101. Had it a large backing of public opinion?—I do not think so.

42102. Taking the entire population, did you find any number of people who supported prohibition as a sentiment, yet who did not take any part in looking after it or helping along its enforcement?—Certainly; there were a number of such people.

*By Rev. Dr. McLeod:*

42103. When a law is not enforced, whose fault is it?—The fault of the officials, I suppose.

JAMES McLAREN, Chief Constable of Vancouver, on being duly sworn, deposed as follows:—

*By Judge McDonald:*

42104. How long have you resided in British Columbia?—I have resided in Vancouver since the spring of 1886.

42105. Have you resided anywhere else in British Columbia?—I resided 2 years in Victoria before that.

42106. Did you come from one of the other provinces?—I came here from Manitoba, Ontario is my native province.

42107. In what county did you live in Ontario?—In Lanark.

42108. Have you anything to do in regard to the working of the license law, and in regard to seeing that its provisions are carried out?—Yes, everything comes under my notice, and of course the License Inspector and I work together in this matter.

42109. Does the same remark apply to the License Inspector as it does in your case?—It is the official's duty to report to me if he sees anything going on out of the way.

42110. Do you look upon this work as a part of the duty of the municipal police as regards carrying out the law?—Yes.

42111. How do you find the license law work here?—Very well.

42112. So far as your observation goes does the license law appear to be lived up to by the licensees?—So far as I can see, the licensees appear to live up to the requirements of the law.

42113. How about the observance of the Sunday law?—The observance of the Sunday law is very well maintained.

42114. We were told that when the law came in one or two cases of violation occurred?—Yes, we had one or two convictions at first.

42115. Did they seem to have the effect of stopping violations of the law?—Yes. Of course it is a very hard matter for a police officer to go into any of those places in order to watch the parties. They know the police officer as soon as they see him, and especially if it happens to be during prohibited hours.

42116. Have you any provision under your charter that requires a bar-room itself to be closed during prohibited hours on Sunday?—No. Under the law a man can have all the lights he wants in the bar-room during prohibited hours, in fact I believe he is compelled to have the lights on.

42117. Is the bar-room supposed to be locked up?—Yes.

42118. Then people may not resort there for the purpose of sale?—It is all right so long as the bar is closed. Some of the houses have screens for the bars. There are, of course, houses where there are no sitting rooms and no place in which to sit except the bar-room.

42119. Then the bar-room may remain open for people to sit in?—Yes; the front doors are locked, but in the country the people have often a stove in the bar-room and they sit there.

42120. The guests sit there, I suppose?—Yes.

42121. Does that remark apply to saloons?—No, they are supposed to be closed up.

42122. The bar in every case is supposed to be closed?—Yes.

42123. Then in the winter time the guests and the family sometimes sit in the bar-room of an hotel?—There are one or two places of that kind in the town.

42124. We understand that there are certain prohibited hours during the night on week days and at other times when liquor cannot be sold?—The law contains certain prohibitory provisions as regards the hours from Saturday night to Monday morning, but week nights are not included. The law says that there shall be no sale between 11 o'clock Saturday night and 1 o'clock Monday morning.

42125. Have you heard any complaints made as to the quality of the liquor sold in those places and as to whether the liquor is adulterated?—I have not.

42126. Then no complaints have come to you in regard to that matter?—No.

42127. Take the city as you have found it and your knowledge of other cities and towns, how do you find it compare with other places of similar size as regards orderly and sober conduct on the part of the people?—It compares favourably with any other place in which I have lived.

42128. Take the cases of drunkenness and disorderly conduct with which you have to deal: is the large proportion due to visitors and to the floating population?—Most of them are due to the floating population.

42129. Have you had any experience in regard to a prohibitory law?—No.

42130. Did you live in Lanark before the Scott Act was adopted?—I was home once since I left, and it is 16 years since I left home in the first instance. They had the Scott Act in force there at the time I went down, but I did not remain long enough among the people to find out how it worked. There were parties who complained then, and said that there was more drunkenness among the people than formerly, and that people wanted liquor who never wanted it when they could go and buy it.

42131. Lanark Village is a very orderly place, I believe?—Yes, it is a very small place, but the people are very orderly there.

JAMES McLAREN.

42132. From your knowledge of British Columbia, do you believe a prohibitory law could be practically enforced and carried out?—I do not.

42133. What would be the difficulty met with?—There is a great chance of smuggling in this country by water and by the mountains, and a prohibitory law would be very hard to enforce.

42134. Do you know the extent of the boundary line between the United States and Canada?—No, I do not.

42135. In case of the enactment of a general prohibitory law, a law to prohibit the manufacture, importation and sale of alcoholic liquors for beverage purposes, do you think it would be right that brewers and distillers should be compensated for loss of plant and machinery rendered useless?—It would be quite a hardship for a man having a large plant to have his business shut up.

42136. Such a prohibitory law would, of course, carry with it the right of search both of person and house. Do you think the people of Vancouver would be willing to allow such a law to be carried out?—No, I do not think so; we would have even more trouble than to-day. Of course it must be remembered that we have only a small force of 11 men.

42137. Could you form an estimate as to the force that would be required in British Columbia to carry out such a law?—I could not.

*By Rev. Dr. McLeod:*

42138. Is it the duty of the police to watch the licensees to see whether they sell after hours or not?—No. There is a provision in our police rules prohibiting policemen while on duty from entering saloons.

42139. So they cannot go into the saloons unless they are sent there?—No. If a police officer is found in a saloon while on duty, he is liable to be suspended.

42140. What is the purpose of that rule?—I believe it was thought better in the first place to have certain restrictions on the men, and in this way prevent any officer from drinking.

42141. Are they considered to be better policemen if they do not drink?—Perhaps that is the idea, to a certain extent.

42142. Would it be thought a wrong act if a police officer was in the habit of going into a saloon; in your opinion would it affect him as regards discharging his duty?—Some officers, if they had that privilege, would abuse it. The police officer, if in the habit of drinking, can obtain all the liquor he wishes, and it will cost him nothing. Everybody coming along wishes an officer to drink, and he meets so many he is being constantly asked.

42143. I suppose the saloon-keeper and the hotel-keeper or the proprietor of the hotel would be against officers drinking?—I could not say that in regard to hotel or saloon-keepers.

42144. Still the Police Commissioners thought it would be better to prohibit officers going into bars while on duty?—That is our rule.

42145. Is it the duty of the officers to make complaints?—Yes, if they think the place is selling after hours. If they find the place is disorderly or anything improper is going on, they report to me.

42146. And you would lay a charge against the licensee?—Yes.

42147. When the Sunday law came into force there were a few violations of it, we understand?—We had two or three; I could not tell you, from memory, the number.

42148. But the parties were prosecuted?—Yes.

42149. Do you think the effect of enforcing the law is to educate the law breakers?—For a time it might. Some violate the law while others live up to it.

42150. Did we understand you to say that there was no illicit sale of liquor here by people not licensed?—I could not say that.

42151. Do you think there is some illicit sale?—There may be.

42152. Have you reason to believe there is sale by persons not licensed?—The only place, although I have never seen it, would be in the sporting houses, if there is liquor sold in that way.

42153. Are sporting houses, houses of ill-fame?—Yes.

42154. You raid such houses sometimes?—We raid them occasionally.

42155. Do you find liquor there?—I never looked for liquor.

42156. It is observed, however, that there is liquor in those places?—It is generally understood that there is liquor in them.

42157. Are there many such places in this city?—Quite a few.

42158. They are not licensed?—No.

42159. How many would there be in round figures; 20, 25, 30 or 40?—I think I might safely put the number at 17 or 18.

42160. Do you think you have a sufficient police force for the size of this town?—It is a small force, the city is scattered and the force is a small one considering the ground we have to cover. The men work about 10 hours a day.

42161. Of the arrests your men have to make, what proportion of them are for drunkenness?—I should say 25 per cent.

42162. Of the other 75 per cent, what proportion of them are traceable to the drink habit and the drink traffic?—I am only speaking from memory, but I should say 25 per cent are due not to drunkenness altogether, but are cases in which drunkenness was an element.

42163. Of assaults, are any of them due to the drink shops and drink habit?—Some of them are, most of them are. We do not have any trouble in the licensed houses however, but the people come out on the streets.

42164. Do you think there has been a decrease or increase in disorderly conduct?—I think our police records show not very much increase during the last two or three years. I think the number has probably increased, taking a number of years, but the town has been growing all the time.

42165. What is the rule in regard to your men making arrests. If a man is drunk but going quietly home, do you arrest him or leave him alone?—My orders to my men are that if a man is simply drunk and is quiet, and he is going home, to leave him alone. Those are my orders.

42166. Then if a man is drunk and disorderly and incapable and cannot go home, you run him in?—Yes, in order to protect him.

42167. Are there many men who are so intoxicated that you are obliged to take them in; are there many who create disturbance and whom you are compelled necessarily to arrest?—No, I do not know about that. Of course you will say that a citizen going home pretty full is creating a disturbance; but it is pretty hard to say whether that man had a couple of drinks of hot Scotch in him or not.

42168. Something has happened to him, I suppose?—He might feel good and be elated.

42169. Do you find many of those cases?—Not many.

42170. Do you find so many that they are arrested for creating disturbances?—Those cases do not come so much under our notice as cases of men creating regular disturbances.



MURDOCK G. McLEOD, of Vancouver, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

42171. What position do you occupy ?—I am License Inspector, also Jailer, and also Clerk of the Police Court.

42172. Is there a city lock-up ?—Yes.

42173. How long have you resided in British Columbia ?—Four years last September.

42174. Have you resided all that time in Vancouver ?—Yes.

42175. Did you come here from one of the other provinces originally ?—Yes, from the County of Bruce, Ontario.

42176. Do you find this community to be a sober and law-abiding one and to compare favourably with others in which you have lived ?—I think it compares very favourably.

42177. How long have you been License Inspector ?—Since 22nd of last March.

42178. How long have you been Keeper of the Jail ?—Since 17th February, 1891.

42179. How long have you been Clerk of the Police Court ?—I think since last June.

42180. We understand that the Clerk of the Police Court makes up monthly returns of the cases tried ?—Yes.

42181. As License Inspector, what are the duties ?—To see that licenses are properly issued and that licensees properly observe the law. I think those are my duties.

42182. Do you examine premises to see that proper accommodation is provided for travellers ?—Yes.

42183. How often is that examination made ?—I have only made it once.

42184. Do we understand that you will now make it every two years ?—I intend to make it at the expiration of the term for which the license fees have been paid, and that is before 30th September.

42185. How long do the licenses run ?—Really a year, but generally half a year.

42186. Have you had any new licenses issued since you came into office ?—We have had some new ones issued.

42187. We understand that under your charter it is necessary for an applicant to have a petition signed by a certain number of a certain class of voters ?—I think so.

42188. Is it your duty to see to the carrying out of the Sunday provisions of the law ?—Yes.

42189. How is that Sunday law observed ?—Fairly well.

42190. Latterly there have been no charges made ?—No charges have been made for some time.

42191. Have there been no cases sent to the Inspector to prosecute ?—Three.

42192. Were those cases when the law first came into force ?—Yes.

42193. Did you secure convictions ?—Yes.

42194. Since then you have not had any prosecutions ?—No.

42195. Have you reason to believe that there is unlicensed sale in the city ?—There may be in houses of prostitution.

42196. Have you had any experience of a prohibitory law ?—Yes, during the prohibition period in Bruce.

42197. How long were you there during that period ?—Most of the time.

42198. How did the law work ?—A man who wanted liquor could get as much under prohibition as he could get under a license law.

42199. So liquor was for sale ?—Yes, in open bar rooms in our village.

42200. What village was that ?—Ripley.

42201. Are you able to say, from your own knowledge of the country, that liquor was sold in as many places under the Scott Act as it was sold under the License Act ?

I could not say, but I think you will find it was sold in more places.

42202. Do you know how long that continued ?—I think during the full period.

42203. When the opportunity was offered to the people, was the Act renewed or repealed ?—The Act was repealed.

42204. From your knowledge of British Columbia, do you think a prohibitory law for the whole Dominion could be practically enforced here?—I do not think so, comparing the class of people with those of the east.

42205. In making that answer did you take into consideration the geographical position of the country and the extent of coast line and boundary line?—I did take that into consideration.

42206. Would you apprehend that smuggling could be carried on in regard to bringing in liquor here from other countries?—I should look upon the matter in this way : if the people could not smuggle it in, they would obtain it in some other way, and they would make it themselves.

42207. In the event of a general prohibitory law, a law to prohibit the manufacture, importation and sale of alcoholic liquors for beverage purposes, do you think it would be right to compensate brewers and distillers for loss of plant and machinery rendered useless? You understand that they are required by departmental regulations to put in certain expensive machinery, and further that distillers have to keep their liquor in stock for two years for rectification purposes?—I think they should receive compensation.

42208. Liquors in bond would be entirely useless in that event?—Yes.

42209. Of course that law would not prohibit the importation of alcohol for medicinal purposes and for sacramental purposes, but you must remember that the stock on hand would be very much larger than would be needed for such purposes. Of course all this must be taken into account in framing your answer?—I think they should be compensated.

42210. State to the Commission any suggestions you could make, from your experience of the license law, that would be beneficial?—I do not know that I could do so. We are labouring here under difficulties in connection with the position of the city, and of course the houses here are of an inferior class owing to the fact this is a new city. That condition, however, is gradually passing away. We now have a first-class hotel here, and there are also some very poor ones that were started in the early days.

*By Rev. Dr. McLeod :* \*

42211. You think the Sunday law is very well observed?—Fairly well.

42212. Then do you think there are some infractions of that law?—I have no doubt that there are some infractions.

42213. Do you think the cases you have spoken of in which the penalty was imposed, had a good effect in educating the parties not to violate the law?—I should think so.

42214. Is it the duty of the police to see that the Sunday law is observed?—I should think if they saw violations of the law going on that it was their duty to report to the Chief of Police such violations.

42215. Do you know whether it is part of the duty of the police officers to watch for violations of the law?—I think so, because that is a by-law of the city, and it, as well as other by-laws, requires to be looked after ; and it is certainly part of the duty of the police to see that the by-laws are observed.

42216. Are there cases in your city in which applicants for license require to have a petition signed?—There are not.

42217. Do they simply make application to the Board of Commissioners, and does the Board issue licenses at discretion?—Exactly.

42218. Does the Board require you and your men to inquire into the character of applicants?—Yes ; I have to make a report of the premises for which a license is sought, and also as to the character of the applicant.

42219. Have any applicants been refused licenses?—There have been.

42220. Was the ground of refusal, inadequacy of accommodation or because of the doubtful character of the applicant?—Because the licenses were all taken up.

42221. You spoke of unlicensed sale in houses of ill-fame. Has no attempt been made to prevent that unlicensed sale?—I do not think so.

42222. Why not?—I do not know ; the thing has been going on in the city ever since I came.

MURDOCK G. McLEOD.

42223. Is it your duty as License Inspector, or is it the duty of the police to look up such cases?—We work together, and it is the duty of both of us.

42224. Would you feel that somebody had neglected his duty in not having interfered with those cases?—I do not know.

42225. Would it not be well to make an attempt to check unlicensed sale rather than issue more licenses; or would it be better to issue licenses?—I do not know, because it would give people more liberty to frequent those places. I do not think it would be well to license such houses to sell liquor, because it would seem to give liberty to persons to frequent those places. It would be well to make an attempt to stop them.

42226. Is there equal effort made to stop illicit sale in other places as there is in those places?—Certainly there is, and more.

42227. Who exercises the discretion in those matters?—I cannot tell.

42228. Do you think license regulates the trade?—Yes, I think it does.

42229. It does not in those places?—No, it does not.

42230. You have, we understand, about 50 licensed places here?—There are 55 licensed places, I believe.

42231. And are there 18 unlicensed?—I cannot say.

42232. Are there more than one-third?—I cannot say.

42233. What is the total license revenue of the city?—The amount is estimated as \$18,400 for this year.

42234. What is the ordinary fee for an hotel license?—\$200.

42235. And for a saloon license?—\$500 a year.

42236. And for a wholesale license?—\$100 a year, and for shop license \$400 a year.

42237. Is a shop license allowed to be carried on in connection with the sale of groceries?—Nothing is allowed but liquor and tobacco. Liquor is not allowed to be sold by the glass, but by the bottle, not less than one pint.

42238. How many shop licenses are there?—Seven.

42239. You are also keeper of the jail, we understand?—Yes.

42240. How many prisoners have you under your charge from week to week?—I have an average of 10 or 12. I have my report for 1890 with me. The total number charged with drunkenness was 232 out of a total of 786.

42241. 232 were imprisoned for drunkenness?—Yes.

42242. Of the other 554, how many were imprisoned for offences connected with the drink habit and traffic, directly or indirectly?—I should say the estimate given by the Chief of Police was true; 25 per cent were for drunk and disorderly and incapability and other 25 per cent were for offences traceable to drink.

42243. To what class of offences would the remainder belong?—They were offences against the by-laws and various other offences.

42244. For instance, I suppose you have a classification something like this which was given in the New Westminster report: assaults; assaults with intent to do bodily harm, breaches of the peace, fighting with concealed weapons, disorders on the streets, frequenting houses of ill-fame, keeping houses of ill-fame, larceny, selling intoxicating liquors to Indians, &c., &c. Are your cases classified in that way?—Yes.

42245. Of the cases which I have read, would you consider any percentage of them connected directly or indirectly with the drink trade?—In all probability most of them are.

*By Judge McDonald:*

42246. You have spoken about houses of ill-repute in this city. Do you think the existence of such places is due to the floating population of the city?—I should think so.

42247. You mean that it is probably due to the fact that this is a seaport. In regard to liquors being sold in those places, is it more than a supposition on your part that this is done?—It is a supposition.

*By Rev. Dr. McLeod:*

42248. Do you believe there is sale?—I certainly do.



HARRY ABBOTT, of Vancouver, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

42249. I understand you are General Superintendent of the Pacific division of the Canadian Pacific Railway Company?—Yes.

42250. How long have you lived in British Columbia?—I have been here since the winter of 1885-86.

42251. Have you resided in Vancouver during all that time?—The first year I was at Port Moody part of the time, and I have been here subsequently.

42252. During all that time, you have been General Superintendent of the Pacific division of the Canadian Pacific Railway?—Yes.

42253. Did you come here originally from one of the other provinces?—I came here from the Province of Ontario. I came from Brockville.

42254. Taking this community as you have found it, do you think it is composed of a sober and orderly class of people?—Yes, I think so.

42255. How does it compare with other communities?—It will compare very favourably with communities in which I have lived.

42256. Have you had any reason to observe the working of the license law here?—I have had some occasion to see how it worked.

42257. And how in your opinion has it worked?—Fairly well. I think perhaps there is too much laxity in granting licenses. They are occasionally granted to people who should not have them, and who have not the accommodation called for in the Act.

42258. The last witness has said that there was difficulty, owing to the fact that some houses obtained licenses in the early days and they are continued. Are any of the houses to which you refer of that class?—I could not say. I understand that the issuing of licenses takes place yearly, and I do not see any reason why any greater privileges should be granted to the old timers than to new applicants.

42259. Have you observed whether the Sunday law is observed by licensed houses?—Only generally.

42260. What has been your observation?—I consider the law is fairly well enforced. I see no drunkenness about the streets, and that is all I am able to judge from.

42261. Have you had any experience of a prohibitory enactment in any country?—Yes. I have had occasion to be in the State of Maine a good deal, and the Maine law is not enforced.

42262. You say you have been in Maine?—Yes; I had occasion to go down there. I had charge of the last section of the Grand Trunk to Island Pond, and afterwards I had the contract for the maintenance of way on the Grand Trunk Railway. I had occasion to go to Portland very often.

42263. What experience did you have in regard to the Maine law?—I think my experience was unfavourable to the law; that is to say that anybody could get liquor at any time and anywhere almost when he wanted it, but it was of very poor quality.

42264. Do you know whether liquor was carried over the Grand Trunk Railway to any extent?—I could not say as to that.

42265. You know that in the State of Maine, individuals are allowed to have all the liquor they want in their own cellars and to give it to their friends?—Yes.

42266. Could people bring in liquor and sell it?—Yes, surreptitiously. For instance, a man could have a room which any one could enter, and after taking all the liquor the visitors wanted they would be expected to leave a certain sum of money on the table. That was the common way.

42267. Were there any places where there were open bars?—I could not say.

42268. Have you had experience of a prohibitory law anywhere else?—No. No further than the prohibition that was enforced by the Dominion Act for the preservation of the peace on railways; that was on railway construction at Sudbury, on the Canadian Pacific Railway, section 15. I had charge of 150 men at first and afterwards of the whole district between Sudbury and Port Arthur.

42269. The Public Works Act applied to the railway under construction, I suppose?—Yes.

HARRY ABBOTT.



42270. Was it your duty to look after the enforcement of it?—Yes.

42271. How was it carried out?—Very inefficiently I am afraid, although we did our best to carry it out. We could not prevent liquor coming in.

42272. You had officers under your charge?—Yes, constables along the line.

42273. What was the difficulty in regard to preventing liquor coming in?—It was brought in in various ways.

42274. State some of the ways?—On one occasion a quantity of potatoes came in. I had a suspicion that liquor would be brought in at the same time, and I sent a constable to examine the cargo, and he reported that there was nothing but potatoes in the car. I went myself, and we opened some of the barrels and found kegs of spirituous liquors inside of the barrels of potatoes. There were 18 or 20 barrels when we examined the car, and some had been sold on the way.

42275. Were there any other modes used?—Yes. Another plan was—and this plan was adopted on several occasions—to have manufactured jackets of tin, fitting close to the body with space of two or three inches between that and an outer covering of the barrel, and in this space liquor was kept. Another plan was to bring liquor inside of dressed hogs, and in oil cans, the cans being labelled “coal oil.” There were, of course, other modes, but these are some of the few regularly adopted.

42276. Did you honestly endeavour to suppress the smuggling of liquor?—Yes.

42277. Did you find it impossible to do so?—Yes.

42278. We had evidence at Winnipeg from a gentleman who was a contractor on section 15, Mr. Sifton, to the effect that with one or two constables he found it easy to thoroughly enforce the provisions of the Act on the section of road which he built?—I do not know that section, and unless it is situated very peculiarly, and unless he possessed unusual facilities for stopping smuggling, I should be very much inclined to doubt his statement.

42279. Had you any difficulty in regard to men getting in liquor on your section?—The men were determined to get it, and many methods were adopted for doing so. These I have described to some extent, although of course I do not know, as a matter of fact, that liquor was brought in. I suppose many cases occurred which were not discovered. I know that liquor was brought in, from the results.

42280. Supposing a Dominion prohibitory law was enacted, do you think brewers and distillers should be remunerated for loss of plant and machinery. You understand that brewers and distillers are compelled by law to provide certain machinery, and are called upon, by departmental regulations from time to time, to make changes, and also that distillers are required to keep their liquor in stock for two or three years for rectification purposes?—That is a subject of which I have no very great knowledge, but in my opinion it would only be fair if what is legal trade now should be made illegal, that the parties who are interested and who have capital invested should be compensated.

42281. It is urged by some that in case of changes in the tariff merchants may be affected in business and no compensation is allowed them?—I think the two cases are hardly parallel. The importer's business might be more or less injured, but it would not be injury such as the manufacturer of liquors would suffer.

42282. It is urged again, that under the law the brewers and distillers are only licensed from year to year. On the other hand, it is urged that the licenses are practically renewed year after year?—The manufacturers have made an outlay which may be rendered useless by a prohibitory law.

42283. Have you, in your line of duty, had to do a great deal with travellers?—Yes.

42284. In case of the enactment of a law prohibiting the manufacture, importation and sale of alcoholic liquor for beverage purposes, it would have the effect of preventing private individuals bringing liquors?—Yes.

42285. The enactment of such a law would necessarily carry with it the right of domiciliary visit and search of person. What effect would that have on travel?—I think it would have a deleterious effect to some extent.

42286. We have heard that in the North-west Territories, where such a law was in force, a considerable difficulty was experienced on account of people bringing in liquor on the Pullman cars on your railway?—I only know that generally.

42287. Has your Company any regulations in regard to the use of liquor by men in its employ?—Yes.

42288. You do not allow drinking men to enter the employ of the company?—No.

42289. Is the question “are you a total abstainer” asked men when they apply for situations?—No.

42290. Could you say from your knowledge whether the employees of the Canadian Pacific Railway are total abstainers?—No, they are very far from it, I am sorry to say, because occasionally cases occur which show that they are not.

42291. Have you many employees who, while not total abstainers, are able and efficient officers?—Yes.

42292. Men who take liquor in moderation, and in moderation only?—Yes.

42293. And are reliable men?—Perfectly so. It is the exception, I am glad to say, to find men who take liquor to excess. In fact, we do not keep men if they make a practice of it.

42294. Are there any suggestions that you can offer to the Commission?—No. So far as the Province of British Columbia is concerned, I think the present system is a very good one, if it were properly enforced, especially if it were surrounded by some few further restrictions.

*By Rev. Dr. McLeod :*

42295. Speaking about railway construction prohibition : do you think if the trade had been licensed along the line, there would have been more or less consumption of liquor?—I do not know that there would have been more consumption, but I think it would have been more easily kept track of, and there would have been a better class of liquor sold.

42296. Do you think the fact that men resorted to such expedients as you have mentioned shows that liquor had some grip on the men, so as to lead them to resort to such strange ways of obtaining liquor?—The law had such a grip that it necessitated this being done on the sly, the liquor being smuggled.

42297. What class of men resorted to those expedients?—They were the class of men that usually follow railway construction ; I do not know that they can be called a class by themselves. All kinds of crimes follow the introduction of liquor by those men.

42298. Did you observe that there was much disorder among the men along the line of construction?—It was to some extent spasmodic. When they got liquor there was disorder. In fact it amounted to so much at one time that we had to call the provincial police to our aid. It was at Biscotasing that the riot was. I remember a bullet was shot through my bed-room on one occasion.

42299. We had it in evidence in Winnipeg and also throughout the North-west, and I think Commissioner Herchmer and others agreed with the evidence, that prohibition under the Public Works Act had a very marked effect in preventing disturbances that would naturally occur among a large body of railway men?—I think it had that effect, but it did not afterwards prevent disturbances.

42300. Speaking about personal search on the cars. We have it in evidence that Pullman cars were used for smuggling purposes throughout the mountains. Have you any knowledge of that?—I have no knowledge of it.

42301. Are passengers searched under the customs law for contraband goods?—Not passengers going from one province to another.

42302. But when coming from the United States into this country?—Yes ; the baggage is examined at the boundary line.

42303. Is the hand baggage examined also?—I think all baggage is examined. As regards personal examination, that is not always done.

42304. Is that different from the search that would be necessary in the event of the adoption of a general prohibitory law for the Dominion?—I suppose the same thing.

42305. Does that search deter travel?—No ; I do not think liquor would be apt to come in that way, except as carried by travellers. I do not think the carrying of a bottle of liquor by an individual on the cars is apt to do much harm to the community.

HARRY ABBOTT.

42306. It would not be regarded as an offence by the Customs authorities any more than is at the present time the importation of any small article for personal use?—Probably not.

42307. Speaking about the Canadian Pacific Railway Company's rules: while applicants for positions are not asked whether they are total abstainers or not, is it a fact that your rules are quite rigid as to the drinking habits of the employees?—They are not rigid to the extent of prohibiting absolutely a man taking drink, but we give distinct preference to men who are known to be sober, steady men.

42308. Take this case for instance: Two men apply to you for the position of telegraph operator or train despatcher. They are equal in many respects as regards ability. One is known to have the drink habit; he never gets drunk, but he drinks. The other is a total abstainer. Would you give the preference to a total abstainer?—If a man was known to have the drink habit it would be natural to suppose that he would drink to excess, and certainly preference would be given to the other man.

*By Judge McDonald:*

42309. It would be well to define the drink habit. You know that a man making application to you for position, as a superintendent, does occasionally take drink; you know that another man is not a drinking man at all. These men are equal in ability. Would you give the preference to one man over the other on that ground?—No; I think I would be guided in that case by the efficiency of the men, and I would select the more efficient man. There must be some difference, the men cannot be exactly alike. One might write a better hand even than the other. But the fact that one man takes liquor in moderation while the other is a total abstainer, would not have any weight.

*By Rev. Dr. McLeod:*

42310. A Superintendent of the Canadian Pacific Railway stated the case in this way: Two men apply for a certain position. One is qualified in all respects for the position, but he is known to take liquor occasionally, although he never gets drunk. The other man is not quite so good a man, but he is a total abstainer. The Superintendent said he would not hesitate a moment in choosing the total abstainer. When asked his reason he said, while the one man might never intend to drink to excess, he might do so, while in the other case there was no danger.—Of course, that depends altogether on the degree to which a man drinks.

42311. Are many men discharged from the Company's service on account of drinking?—We have occasionally some such cases.

42312. If a train conductor or a train despatcher were known to frequent bar-rooms, would he be regarded with suspicion?—They are watched.

42313. Do your rules, and the enforcement of them, have the effect of preventing your men falling into drinking habits?—I think they have a certain effect.

42314. Is this rule of the Company a purely business one?—I think it is.

42315. Are we to understand that the Company adopt this rule regarding the use of liquor and its dangers, from a purely business point of view?—I would put the word "abuse" instead of "use." I do not think it would make much difference if a reliable man took a glass once in awhile and never took it to excess; that would not render him unreliable. While we regard the use of liquor as a very objectionable habit in a man, still we do not regard it as an article to be prohibited entirely.

42316. Does the fact that an employee is known to frequent drinking places and the further fact that the Company thinks that use may lead to abuse, cause the use to be considered dangerous?—Certainly.



JOSEPH E. MILLAR, of Vancouver, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

42317. What position do you hold ?—I am Collector of Inland Revenue.

42318. What is your district ?—My district covers the whole of the mainland of British Columbia.

42319. You are from the County of Leeds, I believe ?—Yes, from Brockville.

42320. How long have you lived in British Columbia ?—About 3 years and 4 months.

42321. Before that time I suppose you lived elsewhere in Ontario ?—I lived 6 years in Ontario, in five different places, and so I have seen most of the province.

42322. Where else have you lived in British Columbia than Vancouver ?—I have travelled over my district that is all.

42323. What are your duties as Inland Revenue Collector with regard to intoxicating liquors ?—All liquor here is handled in bond. We have no manufacture of liquors on the mainland, no distilling is done on the mainland, although we have 5 breweries ; 2 at Westminster, 2 at Revelstoke, and 1 at Nelson. One of the breweries at Revelstoke has been dropped. Then we have three breweries here, and they have become more extensive as the smaller ones have been dropped. So there are 3 in Vancouver proper, 2 in Westminster, 1 at Revelstoke and 1 at Nelson.

42324. Are all those within your district ?—Yes.

42325. Is the output extensive, taking them altogether ?—Yes ; the beer trade has been increasing during the last 3 years.

42326. Does this include lager beer ?—Yes, and steamed beer.

42327. What is that ?—It is a heavier beer, and on that account will keep better than other beer.

42328. Do you have to inspect those breweries ?—Yes.

42329. Have you any figures with you showing the total output ?—I can give you the figures for the last two years. They are as follows. Our fiscal year ends July. The output was for 1890-91, 185,755 gallons, 1891-92, 193,510 gallons.

42330. Does that include all kinds of beer ?—Yes.

42331. Have you a statement of the revenue derived ?—I can give you a statement.

42332. How many gallons have been brought in ?—During the season of 1890-91, there were 30,619 gallons ; 1891-92, 34,876, an increase of 4,000 gallons. Taken from warehouse in 1890-91, 22,421 gallons ; 1891-92, 32,267 gallons.

42333. What about wines ?—I have nothing to do with them.

42334. Are those spirits manufactured in Ontario ?—Yes, in Toronto and Windsor.

42335. As a citizen, have you observed the working of the license law here ?—Yes, I have given the matter some attention ?

42336. How do you find it work ?—Very well ; but I would favour the imposition of heavier license fees in order to have a better class of men in the trade.

42337. Do you mean a better class of houses ?—There are too many shacks, old houses that were built here in the first place, and I think there are too many licenses issued here.

42338. Do you think there are more than are necessary ?—Yes.

42339. We have been told that under the city by-laws the saloons will be diminished one by one until they drop out altogether ?—Yes.

42340. Is that desirable ?—I do not think a saloon is very desirable.

42341. If you were called upon to abolish either the saloon or the hotel bar, which would you drop ?—I should certainly drop the saloon.

42342. Have you had any experience of a prohibitory law ?—Not except what I saw of the Scott Act in Brockville. I know nothing, however, as to the working of it.

42343. Have you been here long enough to be able to form an opinion as to whether a prohibitory law could be satisfactorily enforced in British Columbia ?—I am of the opinion that it could not. We have such an extent of territory here that it would become practically a dead letter. Then the chances of smuggling by water are quite extensive.

JOSEPH E. MILLAR.



42344. Have you any illicit manufacture of liquor going on in this province?—We have had only one case in Vancouver.

42345. We have been told the manner in which Indians manufacture liquor.—The same thing has been stated to me here. I do not think it is possible that the Indians manufacture liquor in that way; for this reason: It is stated that they use kelp as a worm. The heat passing through this worm must necessarily contract the kelp, and they could not use it, at all events more than once.

42346. Have you had any experience in regard to this matter?—No; I have simply heard this as hearsay.

42347. Are there any suggestions drawn from your official experience with the liquor traffic that you can make to the Commission?—No.

42348. Take this subject as viewed from your own standpoint, what is your opinion?—I think the traffic is being dealt with in a proper manner now, and I do not think it is possible to make any improvements.

42349. In case of the enactment of a law prohibiting the manufacture, importation and sale of alcoholic liquors for beverages, do you think it would be right to compensate brewers and distillers for loss of plant and machinery rendered useless?—I certainly do. The business has been legalized and a very heavy outlay has been made. The brewer has not as much difficulty as a distiller; he gets in his malt duty paid and supervision is almost unnecessary.

42350. Brewers do not have to keep their liquor in stock for a certain length of time?—No; they can send it out at once.

42351. And what is the position of distillers?—They are altogether different. Everything is done in bond; from the time the mash leaves the tuns until the spirit is produced, their liquor is under the law. There has to be special machinery for the purpose, and everything is done under bond. Up to 1889, the distillers could send their liquor out immediately, but now they have to keep it for two years for purposes of rectification.

42352. How is it controlled?—It is under the supervision of Government officers. The liquor is in evaporating tanks, which frequently contain something like 30,000 gallons, and afterwards it is passed directly to the rectifier, where it is allowed to remain for some time. Formerly the distiller was not allowed a percentage, because the duty was charged on the total quantity and no loss was allowed. Now the Government allows a certain percentage. A distiller can keep his liquor in bond for 7 years maturing, and of course he has to keep it for two years. Up to seven years he is allowed a certain percentage for evaporation, which is deducted from the original charge for purposes of duty. For the 1st year they are allowed 6 per cent, for the 2nd 4 per cent, for the 3rd year 3 per cent, and for the 4th, 5th, and 6th years 2 per cent each. So there is a great deal of capital, of course, locked up in a distillery.

42353. How are the licenses issued in this province?—Yearly.

42354. Have you ever known a case in which a license to a distiller was cancelled?—The department do not cancel licenses except for some irregularity. If a man's premises are all right in the first place and the business is conducted all right, he is sure to get his license.

42355. So to speak of a distiller or brewer obtaining his license from year to year is a misnomer?—Yes.

42356. He really possesses his license continuously?—Yes. It is true that his license expires at a certain date, but as soon as he pays the license fee it is at once renewed, and he continues his business during the following year. Take the distillery of Gooderham and Worts, in Toronto: We have eight officers doing nothing but looking after the premises. There are restrictions as regards the spirit reservoirs so that the depth will show on a certain gauge. In other words, one day's refining must represent a certain depth of the reservoirs. Then all the connections between the still and the reservoir must be closed and sealed as well as the joints and all the openings which are locked with special locks and sealed. Of course very heavy expenditure is involved in starting a distillery, especially with the two years' limit now attached to it as regards the rectification of spirits, and of course it is almost impossible for any man to start this business unless he is possessed of almost unlimited capital.

42357. In the event of Parliament enacting a law to prohibit the manufacture, importation and sale of alcoholic liquors for beverage purpose, do you think there would be much plant rendered useless?—In the distilleries, but not in breweries.

42358. Would the machinery itself be a heavy loss?—Most of it.

42359. And in a brewery certain parts of it would be a loss?—Yes.

*By Rev. Dr. McLeod :*

42360. You have spoken about there being a large increase in the consumption of beer. Do you know whether there has been a decrease in the consumption of spirits?—There has been a decreased consumption of spirits per capita.

42361. Do you think the diminution of the consumption of spirits here corresponds with the increase in the output of beer?—I think so.

42362. Have you any figures which show that?—There is another point which I should like to bring to the attention of the Commission. Until two years ago the whole province here was dependent on Victoria, more or less. The Victoria merchants had, and still have, what we call the monopoly of the trade, but gradually we have got our own, and now the people do not have to obtain their supplies in Victoria. You can form an estimate as to an increase or decrease from the figures shown during the past two years as compared with formerly.

42363. Is there no way of determining the matter?—You can only arrive at a conclusion by taking the whole return for the province.

42364. You say there are 2 breweries in Vancouver?—Yes.

42365. Why is this whole business done under the law?—Because there might be fraud.

42366. Then there is fraud?—I should say so.

42367. There are officers stationed in the building. You have stated that there are no less than 8 in the premises of Gooderham. Do you think it is in the interests of a distiller to have such a law?—I think so. At the same time I think we have better liquor now than we had previously.

42368. How is the quality of the liquid estimated?—The bulk of the liquor, take for example Walker's whisky, comes here in bond and it bears the Government stamp over the cork. So it is guaranteed so far as that can be done.

42369. You have spoken about higher license fees being needed, in your opinion, in Vancouver. What would be the effect?—I think it would have the effect of keeping out of the business not very desirable people.

42370. Are the people in the business now not respectable?—It would make them more respectable.

42371. We understand that the Board of License Commissioners determines as to the granting of the licenses, and that a report is made as to the character of the applicant as well as the condition of the premises?—The license question is one to which I have not given very deep thought, for the reason that it has not come under my observation very much.

42372. You have also said that it would be better to have fewer licenses issued?—Yes.

42373. In your opinion would there be less sale if there were fewer licenses issued?—I do not think it would materially affect the trade; at the same time, it would give a better guarantee as to the quality of the liquor sold.

42374. Speaking of saloons and hotels. Is the saloon far less desirable than the hotel bar?—All hotels are required to furnish accommodation as well as dispense liquor, while the saloon is simply a bar.

42375. You mean that the saloon is established simply for drinking purposes?—Yes.

42376. Some people take this view as between the two, that the hotel is really the more dangerous. The case is put in this way: that a man who goes to a saloon has the habit pretty firmly fixed and does not care who sees him go in. But young men go to hotels, to see a friend on business, and afterwards they drop into the bar, or they may go there under the pretense of wishing to read the newspapers. In this way it is

JOSEPH E. MILLAR.

argued the hotel bar is really more dangerous than the saloon. Have you thought of the matter in that light?—I have not given it much attention; in fact I do not see it in that light.

42377. So you still think the hotel bar is preferable to the saloon?—Yes.

42378. In the event of the saloons being abolished, what would become of the people who frequent them?—That is an open question.

42379. Would that not be really prohibition as regards a certain class?—No, I think not.

42380. Would they resort to the hotels for drink?—They would have to do so.

42381. Then would the hotel bar become what the saloon is now?—Not to the same extent, for the surroundings would be better.

42382. You think prohibition could not be enforced in British Columbia. Do you think it could be fairly well enforced throughout Canada?—There are provinces in the East that have practically prohibition to-day. I think if there was a prohibitory law enacted there would be greater smuggling and other violations of the law than there are to-day.

42383. Do you think that a general prohibitory law would have a better chance of being enforced than a local prohibitory law?—I think so.

42384. If a general prohibitory law were fairly well enforced, do you believe that it would have any good effect?—I fancy it might do away with some of the present machinery.

42385. Do you believe that the evils resulting from the prohibitory law would be as great or greater than the evils that result from the established drink trade?—They might, in some lines; generally I do not think they would.

FREDERICK SCHOFIELD, of Vancouver, on being duly sworn, deposed as follows:—

*By Judge McDonald:*

42386. What is your profession or occupation?—I am a solicitor of Ontario, and a Magistrate in this province.

42387. Are you a District Magistrate?—Yes.

42388. From whom does your appointment as Magistrate come?—From the Provincial Government.

42389. How long have you lived in British Columbia?—Very nearly five years.

42390. Have you lived all that time in Vancouver?—Yes.

42391. Did you come here from one of the other provinces?—I came here from Ontario, from the County of Leeds and Grenville.

42392. Have you any official duties in connection with carrying out the license law?—As a Magistrate, I sometimes have to certify as to the respectability of applicants for licenses.

42393. As a citizen, have you observed to any extent how the license law is carried out, whether it works satisfactorily or otherwise?—As regards the effect of the license law in this city, I must say that while I have been here I have been very much pleased with the condition of affairs. There is less disorder in this city, especially as it is a seaport, than I expected to find.

42394. Then you find this to be a sober and law-abiding community?—More so than I would have expected, and I attribute this to the careful watchfulness of the municipal authorities, and somewhat also to the license law, although I think there are evils in our license law.

42395. Will you name some of these evils?—I think we have too many hotel licenses issued, for example.

42396. The last witness spoke of the fact that the character of some of the houses might be improved?—Yes. This is a very peculiar province. There are some of the men



who are devoted entirely to lumbering and some to a seafaring life, and those men cannot be deprived of the luxuries they can obtain in other parts of the world. Of course there must be hotels (we will call them hotels) for the different classes of people, but there are too many of them.

42397. Then you want hotels sufficient to furnish accommodation for the different people in the neighbourhood?—Yes, and so that people can remain there and get everything according to their means of living.

42398. Even taking that fact into consideration, you think there are too many of them?—Yes.

42399. Have you had any experience in regard to carrying out a prohibitory law?—Not since I have been here.

42400. Have you had any experience elsewhere?—I had experience of it during the last three years I was living in the County of Leeds and Grenville, when the Scott Act was in existence in Brockville.

42401. How did you find the law work there; had you any knowledge of its working?—I could not speak of its working with approbation.

42402. Then it did not work satisfactorily?—No, it did not.

42403. From your knowledge and experience of British Columbia, do you believe a prohibitory law could be successfully carried out here?—I think not, on account of the peculiar position of the province; not only on account of its almost unlimited extent, but because the officials would not be able to travel all over the province, as the opportunities of going into the country are limited, and therefore it would be impossible to carry out the provisions of a prohibitory law.

42404. In case of the enactment of a general prohibitory law, do you think it would be right that brewers and distillers should be compensated for loss of plant and machinery rendered useless?—I should think so, simply for this reason, that this business is one of a character that is guaranteed by law.

42405. Have you any suggestions that you can submit to the Commission in regard to the working of the license law, further than those you have already made?—Yes. In lieu of a prohibitory law, I would certainly advocate that fewer licenses should be granted, that the license fee should be increased, and that Inspectors should be appointed, having greater power. An Inspector should have the power to go right into a hotel and demand the keys of the bar, and then arrange to have the liquor tested. If the liquor was found not to be of a certain degree of strength, the license should be taken away and the liquor confiscated. This would lead to a less quantity of the liquor being consumed, and it would do away with many of the evils of drinking, that of drinking poor liquor.

42406. In other words, you believe in efficient regulation of the traffic?—Yes.

*By Rev. Dr. McLeod :*

42407. Have you ever been in any country in the world where there is regulation according to your ideas?—I have never been in any place where there was prohibition except in Ontario.

42408. Was the trade regulated there?—Not in that way.

42409. Do you know of any country in the world where it is regulated successfully?—No.

42410. What are your duties as District Magistrate?—They are chiefly confined to minor criminal matters, such as assaults and obtaining money under false pretences and cases in connection with the maritime court.

42411. Do you hold court like a Stipendiary Magistrate?—I do not hold a regular court, but I hold a court once or twice a week, generally twice a week.

42412. Speaking of the cases of assaults that come before you, have you observed whether any proportion of them are traceable to the drink trade and the drink traffic?—The majority of them are.

42413. You have to certify as to the respectability of applicants for licenses?—I do sometimes.

42414. Does that come within your duty as a District Magistrate or as a citizen?—As a District Magistrate it comes within my duty.

FREDERICK SCHOFIELD.



42415. Then you have difficulty sometimes in fulfilling that duty?—Yes.

42416. When you have to state as to the respectability of the applicant, do you report that, in your opinion, he is up to the standard; is that why you find it difficult to perform that duty?—In cases in which I do not think the man is fit for the position, I do not certify at all.

42417. What would the applicant do?—He would apply to another Magistrate.

42418. Then the party you think would get another Magistrate to do what you would not do?—Yes.

42419. What, from your observation, do you think were the difficulties in the way of enforcing the Scott Act in Brockville?—There was great difficulty experienced—the Act was violated in many ways. I cannot say whether the failure was more on account of the bad management of those who were attempting to carry it out, and had the power, or to the vicious propensities of those who tried to violate the law; but I know it did not have the effect of decreasing drinking in any degree.

42420. Did it restrict the trade in any degree?—It restricted the trade in public houses, but it increased it elsewhere.

42421. Were there no particular legal technicalities that hampered the enforcement of the Act?—I am not prepared, at this distance of time, five years, to state.

42422. What from your observation has been the effect of the liquor traffic in regard to the business, social and moral interests of the community generally?—Speaking from a legal standpoint, of course, the prohibition as regards the sale of liquor to Indians is practically essential, and if it possibly could be carried out still further, so as to be absolute as regards other people, it would be a good thing. But in this province we have three classes of people to consider: they represent the lumbering, marine and mining interests. To prohibit these classes of people from obtaining liquor, which they have become accustomed to secure, would be very difficult, and would be a bad thing for the province, as they constitute the wealthy population of the province, mostly.

42423. From your observation, what has been the effect of the liquor traffic on those various industries, on business life, home life and the morals of the community?—The home life here is the same as in any other place. The effect of liquor on home life is very varied in our cities.

42424. I am speaking generally. As you have observed it, is the effect good or bad?—It is certainly bad in a great many places. In homes where liquor is used in moderation, I do not think the effect is any worse than in other cities.

42425. Do you regard the drink traffic as a menace to the home life of any community in which it is established?—I do as regards some classes.

42426. To the young men in homes, is it a menace?—Yes.

42427. They are subject to injurious effects from the liquor traffic?—Yes.

42428. Do you think it well to establish a traffic which makes it necessary for fathers, mothers and sisters, to be constantly neutralizing its effects?—Fathers and mothers undoubtedly neutralize the ill effects of the traffic, but the evils are no greater here than they are in other parts of the world.

42429. Have you observed, notwithstanding the benign influence of fathers, mothers and sisters, that the drink traffic does demoralize the young men?—It does decidedly.

42430. Have you observed whether the drink traffic does injuriously affect business interests?—It does no doubt in isolated cases. The effect is identical with the effect in other provinces, that is to say, that among some unfortunate men it does act injuriously.

42431. Have you observed whether the traffic affects the wage-earning power of the community?—Yes, it does. The people have greater opportunities of spending their money, and in this way the men spend money which they should take home to their families.

42432. Do you object to prohibition on principle or on account of its alleged impracticability?—It is more on account of the alleged impracticability of such a law, more especially in this province. If such a law were passed for the whole Dominion, I think it would be practically impossible to carry on any government. At the present time, almost all the revenue is derived from the liquor traffic.

42433. It is admitted that the country receives several millions of dollars in the way of customs, excise duties and license fees. Have you thought of the matter suffi-

ciently to be able to form an estimate as to what it costs the country, directly or indirectly, to obtain those revenues?—I have not. I know, of course, that it costs a good deal, but I am unable to institute a comparison.

ISAAC PRESTON, of Vancouver, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

42434. What is your business or occupation?—I am a gentleman.

42435. In what business have you been engaged?—I have been a farmer all my life.

42436. How long have you lived in British Columbia?—Nearly three years.

42437. Did you come here from one of the other provinces?—Yes, from the County of Durham, Ontario.

42438. How long is it since you left Durham?—Three years and over.

42439. Did you know Durham under the Scott Act?—Yes, and under the Dunkin Act, except the towns of Port Hope and Cobourg.

42440. How did the Act work in Durham?—Not satisfactorily, for there was no machinery by which to carry it out. It would have worked better if an Inspector had been appointed to carry it into effect, but it was not carried out.

42441. No Inspector was appointed?—No.

42442. Did the Ontario Government appoint an Inspector?—Yes, they appointed one near Port Hope, but he would not act. A great many cases placed before him he never placed before the Government, and he announced that the Government did not wish to push matters too hard.

42443. Did you report his conduct to his superiors?—We did.

42444. His superior officer was Mr. Manning, I believe?—The Ontario Government officer.

42445. After that, did he do his duty?—After that he would take up one case in twenty.

42446. Were you able to lay complaints?—Yes. The difficulty we had was in regard to going before one Police Magistrate, as Mr. Horton, of Port Hope, and Mr. Baines, of Bowmanville, were the Magistrates, and had power to act as any Magistrate.

42447. What was the trouble?—The great trouble was, that they were not particular whether they took the case or not.

42448. You received that information from them?—From the authorities about them.

42449. Then they were quite independent?—They were.

42450. They, in fact, declined to act?—Yes.

42451. Did you have many cases in Cobourg and were fines collected?—Yes.

42452. We understand that after the Scott Act had been in force three years, it was repealed?—Yes.

42453. To what influence do you attribute that repeal?—To the disgust of the people when the Act was not carried out in a proper way. Every man would say : "Give us enforced prohibition and we will vote for it to a man."

42454. We understand that you at first tried the Dunkin Act?—Yes.

42455. Having tried the Dunkin Act and the Scott Act, and not having succeeded, you now wish total prohibition?—That is what we want now, and I am sure we would be able to carry it out.

42456. Supposing a total prohibitory measure should be adopted, would the Magistrates in your opinion carry out the law?—They would certainly do their duty.

42457. Why are you of that opinion?—Because Mr. Horton and Mr. Baines were willing to do their duty, but they received discouragement.

42458. How would they receive more encouragement under a general prohibitory law when at that time, in Ontario, more than nine-tenths of the province was under the Scott Act?—Yes, a great many of the counties were.

FREDERICK SCHOFIELD.

42459. Was that a manifesto of public sentiment in favour of prohibition?—It was undoubtedly.

42460. How would that discourage them?—Because more of the people were disgusted with the law. If a general prohibitory law were proposed, more people would vote for it. Under the Scott Act on one side of the fence they would be selling liquor, and on the other side you could not sell it.

42461. But Ontario County was practically surrounded by prohibition counties?—Yes, and it worked very well at that time. The talk about more liquor being sold there at that time is a farce. The township of Manvers had more than 4,000 people and 70,000 acres of land, and there is not a place, or at least there was not three months ago, where you could obtain liquor.

42462. So the Act was a success there?—Yes.

42463. You say the people favour prohibition?—Yes.

42464. By that do you mean the total prohibition of the manufacture and sale of liquor for beverage purposes?—Yes.

42465. Do you yourself favour that?—I would always favour that.

42466. Have you neighbours who use wines and ales in moderation?—Many of them do and some do not.

42467. Take those who do use it, what means would you adopt to prevent them securing it if they wanted to obtain it?—I would not let them have it at all; that is my opinion.

42468. You believe that such a law, if passed, would require looking after?—Yes.

42469. And you would assist in providing officials?—Certainly; but the county inspectors are not going to be shut out or intimidated in regard to doing their duty.

42470. Was any Inspector shut out?—No, but I saw a Magistrate served with an anonymous letter with a skeleton and cross bones on it, stating that if he went to a certain place, Millbrook, to hold court, he would never come back.

42471. Did he come back?—Yes.

42472. And he is alive yet?—Yes.

42473. So that threat did not prevail?—No.

42474. Are you aware as to the population of Northumberland and Durham counties to which you have referred?—About 70,000, such as are found in agricultural counties.

42475. Are the people prosperous?—Yes, they are well-to-do.

42476. Taking those counties, would you have an Inspector at the different points where travellers would be liable to come in?—Yes.

42477. We have been told in the North-west Territories that there was a force of 1,000 men charged with the enforcement of the prohibitory law, and yet liquor was brought in from the United States?—I do not doubt it for a moment.

42478. Do you believe the ordinary officers would be able to perform this duty?—I do not think so.

42479. Did you hear the evidence brought before the Commission in regard to liquor packages being brought in in hogs and liquor being put in coal oil cans, mixed with tobacco and other ingredients. Are the officers expected to inspect such merchandise?—Yes.

42480. Have you considered at all who shall bear the expense of enforcing such a law? If the Government could not bear the expense, I do not know who could.

42481. Would you allow municipalities to elect the officials?—Yes.

42482. Of course that would be placing a greater expense on the community as a whole?—Yes; I would, of course, appoint only men of good character.

42483. Do you know of any country in the world where there is such a law as you wish?—I suppose it is on the statute-book of Maine.

42484. No. In the State of Maine a man is allowed to have his cellars stocked with all the liquor he wishes, and he may use it and give it away to his neighbours. Is that the kind of a law you want?—No.

42485. Do you know of any country in the world where there is such a law as you wish in force?—No.

42486. We have been told that there is such a law in the Fiji Islands?—I have heard of it, but I do not know any particulars in regard to it.



42487. Then you consider that Fiji is better in that respect than we are?—Yes.

42488. In principle, you are a prohibitionist?—Yes.

42489. You are opposed to the licensing of the traffic?—I am.

42490. Do you think it is sinful?—I do.

42491. In case of the enactment of such a law as you wish, do you think it would be right to compensate brewers and distillers for loss of plant and machinery rendered useless?—That might be done in small cases, but in regard to those great monopolies that have tried to shut out and squash the little ones, or rather big monopolies trying to do up little ones, they should not receive any compensation.

42492. You would only grant compensation to the little ones?—Yes.

42493. Would you limit the number in lieu of securing that law which you wish?—Most decidedly.

42494. And in regard to the retail places, would you do the same?—Yes.

*By Rev. Dr. McLeod :*

42495. We understand from what you say that the Scott Act in Ontario was fruitful of good?—Yes. There was no difficulty in putting down the traffic if vigorously entered upon.

42496. Speaking about officers to carry out the law : do you know that in Ontario outrages were committed upon persons who enforced the law?—There were several outrages perpetrated near Orangeville, and in other places some people were shot at.

42497. Was that outrage traced to any one?—It was traced to a tavern-keeper.

42498. Have you observed how the license law has operated in Vancouver since it has been in force here?—No ; I have hardly given it a thought. At the same time, I know there is liquor sold or given away on Sunday. I saw a man drunk on Sunday about two weeks ago, when I was coming from church. He was near the Hudson Bay Company's store and was reeling and embracing the lamp post, indeed he was very affectionate to the lamp post.

42499. Had you a license law in Ontario prior to the Scott Act?—Yes.

42500. Comparing the condition of things under the two systems, which was the more advantageous?—Under the Scott Act there was not as much liquor used or to be obtained.

42501. Would the police records show that to be the case?—Yes.

42502. You are an observant man no doubt. Now, what is your observation of the effects of the liquor traffic on business affairs as well as the social life and morals of the people of this community?—There has been a great change in my life time. Seventy years ago I recollect well when on the shores of the Bay of Quinté there was a distillery about two miles distant along the shore. At that time whisky was fourpence (Halifax currency) a quart, and 15 pence a gallon. About that time the temperance people began to speak and the ministers of the various denominations began to preach against intemperance. I remember the time when a man dare not speak in favour of prohibition. I well remember the temperance meetings, and I have heard that when some such meetings were held old ladies would stand at the door, being afraid to enter. That feeling has changed from that day to this, but it has changed gradually. There never was a great revulsion of feeling, but the change came gradually about.

42503. What is your reason for favouring prohibition of the liquor traffic?—I believe liquor is a great curse in any community and anything done to lessen it will greatly benefit the rising generation. If we could get our young men in favour of it, the sooner the old drinkers died off the better, and we would then have a happy and blessed country. The revenue would be lost I know, about \$18,000 from the liquor traffic in this city.

42504. How would you make up that revenue?—That is a difficult question. The reduced cost of maintaining police and penitentiaries would make up part of it. I have had some experience of the penitentiary in Kingston, when Mr. Creighton was Warden. I had access to the books, and I found that a great many of those who came to the penitentiary came owing to liquor. I do not think that the whole of the \$18,000 would be saved to this city. I am satisfied that there would be a great falling off in fines, if there

ISAAC PRESTON.



was no liquor obtainable. If all the men kept sober and there was no drunkenness, there would be a great falling off in fines.

42505. Do you think it just to the community to take from people fines with which to fill the treasury?—Not unless they are for punishment for crime. Of course, I think it is quite necessary to fine people for certain offences, and in this way certain amounts are placed in the treasury for the benefit of the community.

42506. Then you think, if the drink trade was abolished, a great part of the crime would be prevented?—I do not think, but I am as sure of it as that the sun is lighting the world.

*By Judge McDonald :*

42507. What was the majority given in favour of the Scott Act when it was passed?—I do not know, I think 3,000.

42508. Can you account for the fact that after it worked such marked changes, and after it was adopted by a majority of 3,000 people, there should have been such a revulsion of feeling subsequently?—I look on the matter in this way : Its moral influence was very marked, but the people got disgusted to think that the Act was not carried out.

42509. But it had been carried out in part?—They were disgusted because the Act had not been carried out in its entirety.

42510. You have stated that you did not expect to secure prohibition entirely?—No, I expect smuggling.

42511. You want prohibition, however?—I do.

42512. If with that prohibition you find that the quantity of liquor consumed for beverage purposes is only reduced to one-fifth of the quantity at present used, would you consider that law to be a beneficial one?—Yes.

42513. A beneficial law worth securing?—I would, but thousands would not.

42514. Why would they not?—Because they would say that the law is not complete.

42515. Then they wish a clean sweep?—Yes.

42516. And they will never be satisfied with anything else, I suppose?—No.

42517. If they had prohibition to the extent of one-fifth, would they be satisfied?—I think not.

42518. What would they want next?—Prohibition altogether.

42519. Prohibition for the world?—No, for our own country.

42520. If in our own country these people were not satisfied with the consumption, reduced to one-fifth, what would they do next?—They would insist on the machinery being more tight.

42521. Then they will never cease until there is no more liquor?—No.

42522. You first spoke as if you did not know whether people got liquor or not under a prohibitory law ; might the people get liquor?—Yes, but the man whom I saw was drunk.

42523. But you think the fact of seeing a man drunk was no evidence that the houses were selling on Sunday?—No ; I do not know where he got the liquor or when.

W. J. McGUIGAN, M.D., of Vancouver, on being duly sworn, deposed as follows:—

*By Judge McDonald :*

42524. Are you a physician here?—Yes, and surgeon.

42525. I understand, from a paper handed to me, that you are also Medical Health Officer here?—Yes.

42526. And also coroner?—Yes.

42527. And also an Alderman of this city?—Yes.

42528. How long have you resided in British Columbia?—I have been here since 1885.

42529. Have you resided all that time in Vancouver?—No, I resided in the Rocky Mountain district, at Donald.

42530. Were you on railway construction?—I was one of the surgeons on the Canadian Pacific Railway.

42531. Did you come here from one of the other provinces?—I am a native of Stratford, Perth County, Ont.

42532. Had you any experience in the Rocky Mountain district of the prohibition of the traffic in liquor?—Yes, that whole district was under prohibition.

42533. Was that under the Railway Act or Public Works Act?—Yes.

42534. How did it work?—Any quantity of liquor was to be got.

42535. How was it got in?—It was smuggled in.

42536. In what manner?—In barrels and in every way. I know you could get a drink whenever you wanted it, if you had the money with which to pay for it. It was 50 cents a drink in Donald, and it was poisonous stuff.

42537. Was ale also obtainable?—I do not remember seeing any.

42538. Were there officers who attempted to prevent the sale?—The place was full of officers, both police and army, for it was about the time of the North-west rebellion.

42539. Did those officers attempt to stop smuggling?—I do not know much what they did. I understood from them that they tried to seize liquor.

42540. Do you know what class of people brought in liquor?—Men regularly employed in the business.

42541. Was any brought in from the United States?—All of it was. I was told that a great deal of it was taken from Spokane Falls, and it was afterwards taken down the Columbia River.

42542. Has there always been a license law in force in Vancouver since you have lived here?—Yes.

42543. How have you found it work, satisfactorily?—Yes.

42544. Have you had anything to do officially with the License Commissioners?—No, I have nothing to do with the Licensing Board.

42545. Speaking as a citizen, do you think the law is well observed in regard to the Sunday closing?—On Sunday you can always have a drink if you want it.

42546. At licensed places?—I do not know that every one can get one, but any one who is acquainted can do so.

42547. As much so as on week days?—Yes.

42548. Have you, as an alderman, called the attention of the police to the violations of the law?—I have not.

42549. Do you know whether there is sale of liquor to young people?—I could not answer that question; I do not know anything about it.

42550. Do you know whether liquor is sold to men who are drunkards or are under the influence of liquor so as to be incapable?—I could not swear about it, but I think the hotel men exercise a certain amount of discretion. I have seen fellows at the bar drinking, who were pretty well advised.

42551. Still liquor would be served to them?—Yes.

42552. Were those men drunk?—Not exactly; they were exhilarated.

42553. Then the license law is not observed?—Not strictly according to the full letter of the law, I think it reduces materially the amount of drinking on Sunday.

W. J. McGUIGAN.

42554. If in some of the licensed places in Vancouver on Sunday liquor is sold for beverage purposes, is that not an open and flagrant violation of one of the provisions of the law?—The individuals who are doing that are jumping in the face of the law no doubt.

42555. Do you think such persons should be permitted to retain licenses?—I think if you were to take away their licenses on that ground, you would not have any in the town.

42556. Do you not think this could be carried out?—You would have to have a superior class of men in the trade compared with those now in it.

42557. Could you not get them?—I do not think you could get a better lot.

42558. So, in your opinion, the men who are disposed to go into the traffic are men who are liquor law breakers?—Yes.

42559. Why is a class of men selected out of a community and given a privilege which is not given to other people, who at the same time take upon themselves the obligation of obeying the law and who are yet it appears violating the law? Would the penalty of doing away with the man's license be too severe?—That is asking me too much. I should not like to make a statement on that point. It is a generally recognized thing, and no person attaches any great importance to it.

42560. How can you expect the police of a city like this, charged with the administration of the law, to be able to do their duty, if the bulk of the citizens do not wish that duty done?—No one expects the police to do this work; the great majority of the people do not expect that from the police; in fact they do not want to encourage the police too much in that way.

42561. You think that is the sentiment of the people in Vancouver?—I do.

42562. We have it in evidence that Vancouver is an orderly and law-abiding place?—I think it is.

42563. Yet you think the majority of the people are favourable to the breaking of the law passed by the Legislature?—The way I judge the matter is this: laws are not always considered by the people as just.

42564. Do you consider the Sunday closing law as just?—I think legislation is sometimes carried in advance of public sentiment.

42565. You are in favour of Sunday closing, I believe?—Yes.

*By Rev. Dr. McLeod:*

42566. Do you think those restrictions about the liquor traffic are unjust?—I do not think they do much justice. I should like to see the houses closed on Sunday, or at least the front doors closed for the sake of appearances; it gives the city a better look.

42567. You would not mind what was done in the premises?—If the people conduct themselves in an orderly manner, I would not mind what they did.

42568. Do you think restrictions on the liquor traffic are unjust?—I do not think they probably do much good to morals.

42569. That is not answer to the question. Are those restrictions unjust?—I do not know how to answer that question.

42570. Do you think there would be more or less drinking if the restrictions were removed?—I do not think there would be as much; the change would be in the kind of liquor, that is all.

42571. Have you observed whether there has been a change in the drinking habits of the people of late years?—No, I do not think so.

42572. You are also coroner in this town?—Yes.

42573. Are you called upon frequently to hold inquests?—Yes.

42574. Do you keep any record of them?—I certainly do.

42575. Can you recall with anything like accuracy your records, so as to enable you to say whether any proportion of the untimely deaths on which you have held inquests were traceable directly or indirectly to the drink traffic and the drink habit?—The last case was a murder case and the men were sober who committed the murder. I think some of the cases have been due to drinking.

42576. Do you think 25 per cent were due to that cause?—No, I do not.

42577. How long have you been a physician?—Since 1879.

42578. Is total abstinence compatible with the best health?—My experience is that it is not so. I think men who use liquor in moderation have better health and are more capable.

42579. Is habitual moderate drinking harmful or harmless?—I do not think moderate drinking is harmful.

42580. We find that the term moderate is quite a variable one. Will you define moderate drinking?—It is pretty hard to define. On this coast the drinking is very moderate. In examining for insurance companies I put down three drinks a day as a limit for candidates.

42581. Speaking about insurance: are insurance men very careful about accepting risks on men who are moderate drinkers?—They do not object at all to taking men who are moderate drinkers.

42582. Do they object to take risks on liquor sellers?—Yes, I think they do.

42583. Do they object even to do so when the liquor sellers are total abstainers?—I do not think so. I have not had a case of that kind, but I am almost certain they would not like to do so, because there would be no sense in having a rule which they did not carry out. So far as an individual was concerned, there would be no objection if he was a total abstainer.

42584. Are bar-tenders regarded as exceptional risks because of the danger supposed to be likely to arise in bar-rooms?—No.

42585. Other things being equal, has a total abstainer any better expectation of life than an habitual drunkard?—I was looking over the statistics, and I found that the moderate drinker has the advantage, if there is any. The report I read is one published annually on the subject of mortality. There was an article on the question of drinking, and the conclusion reached was, that the total abstainer did not live as long as might be expected. He and the moderate drinker were just about on the same level. I know a lot of total abstainers, and they are all sickly individuals, dyspeptics, and if they drank occasionally, it would do them good.

42586. You think that most of them are dyspeptics and sickly?—Yes, and I think they would be all the better if they took liquor in moderation.

42587. In case of serious illness or accident, do you think the total abstainer has any better chance of recovery than the moderate drinker?—No, I do not.

42588. Has he any better chance than the excessive drinker?—Certainly. The excessive drinker is an entirely different person.

42589. Other things being equal, do you think the children of habitual drinkers are more likely victims to nerve and brain troubles and physical weaknesses?—If the parents used liquor to excess, they would.

42590. Does a man ever use liquor to excess who does not get drunk?—Yes.

42591. Have you examined the records of lunacy?—I have examined quite a number of lunatics.

42592. Have you noticed whether drinking is a cause of lunacy?—Those whom I examined were all strangers to me, and I did not know their personal history.

42593. What is your opinion about that?—I do not think drinking has anything to do with it.

42594. You say that the drinking done here is moderate. Is it not the same elsewhere?—The drinking here is greater than in the east.

42595. What is your observation of the effect of drinking alcohol, in the long run?—A man who drinks to excess is bound to suffer in the long run.

42596. What is the effect on moderate drinkers, in the long run?—It would not interfere in regard to his physical condition. The alcohol affects the stomach and other internal organs when taken to excess.

42597. So the standard would be the same in one place as in another, but in one community there would be a different opinion in regard to it?—Yes.

42598. What is that standard?—I could not swear to that. I am not refined enough to know what the standard would be.

W. J. McGUIGAN.



42599. You are health officer?—Yes, but my duties as health officer do not call me into saloons especially.

42600. What are your duties as health officer?—To see that the Public Health Act is carried out, and that people generally are vaccinated, so as to prevent the spread of small-pox, and to do work of that kind.

42601. Do you find it difficult to enforce the health regulations?—I find it necessary to have two policemen with me sometimes when I do it.

42602. Everybody does not submit readily, then?—Not to vaccination.

42603. There is difficulty as there is with the Sunday law, I suppose?—Yes; if you had a policeman to every saloon you might carry out the law.

42604. It would seem to be your idea that saloon-keepers are persistent and chronic law-breakers?—I did not mean that. They sell probably a drink a day illegally. That is not considered a very grievous offence against the law of the land, although it might be against high morality.

42605. Your evidence reminds me of the evidence we had in Halifax. The Inspector of Licenses stated that he did his best to enforce the prohibitory provisions of the law, but he admitted under examination that it would be impossible to carry them out, unless there was a policeman for every licensed place in the city, and even then he could not certify that it would be done?—I think he was right.

42606. And he admitted that they were open law-breakers. You seem to be driving at the same thing concerning license dealers in Vancouver. Is that what you mean to say?—You draw a very sweeping conclusion, and put my statement in the very worst light. What I mean to say is, that you can get a drink in any place in town, but so far as the law is concerned, those interested in the trade, and probably the community, say that it is altogether too strict. While they want to regulate the trade, they do not want to be too severe.

42607. Is there any regulation?—There is. Every Tom, Dick and Harry cannot get a drink.

42608. Only the inner circle?—To some extent you are right.

42609. Is it comprised of those who will not give away the dealer?—They are not supposed to go and talk about it outside; they are not supposed to be spies on the hotel men by any means.

42610. As parties to the violation of the law, they have no responsibility?—I do not think they take any responsibility.

32611. As an alderman of the city, do you think you have no responsibility?—I consider that, as an alderman of the city, it is my duty to see that the law is not violated too flagrantly.

42612. Is there any difference between flagrant violation and violation?—I think so.

42613. Is it an accommodating term?—I think flagrant violations are different from ordinary peccadillos. I think it is generally admitted among all classes of people that there are differences in crime.

42614. Then the inner circle are not at all responsible?—I do not know what responsibility they take upon themselves. I do not like to be asked to make statements for them, as I am not their confessor.

*By Judge McDonald :*

42615. From your knowledge of the Province as a whole, do you think a general prohibitory law, a law to prohibit the manufacture, importation and sale of alcoholic liquors for beverage purposes, if enacted, could be enforced?—I certainly do not.

42616. What would be the difficulties in the way of its enforcement?—Everybody would be in the business of importing liquor, and I do not know how it would be possible to carry out such a law.

42617. In case such a law were enacted, would you deem it right and just that brewers and distillers should be compensated for loss of plant and machinery rendered useless?—Certainly. Why not?

42618. Do you believe that the present Sunday closing law is a good law?—Yes.

42619. Would your favour any further amendment to the law? The present law, I believe, makes those men liable to be fined for offences against the law?—Yes.

42620. Would you have an amendment adopted so as to make liable the person who purchased drink ?—I tried to pass such a law in the City Council, and could not pass it. I am in favour of that.

*By Rev. Dr. McLeod :*

42621. Do you think any law can be enforced in British Columbia ?—Yes. This province is just as good as Ontario, I think.

42622. So other laws are enforced here to-day, in some degree ?—I think they are.

42623. You have said that brewers and distillers should be compensated for loss of plant and machinery. Why compensate them if their business would not be interfered with ? You have said that a prohibitory law would not interfere with the trade, and why therefore should they be compensated ?—I would compensate them because our brewers and distillers would not be able to manufacture as they do now. They would have to change the whole system of manufacture. Irresponsible persons would be in the business instead of men like Gooderham and Worts, and Walker ; inferior liquor would be produced, and the morals of the people would be demoralized.

42624. Have you observed whether the liquor trade is demoralizing at all ?—I believe that I would not want to keep a bar myself.

42625. Why not ?—You would come into contact with people whom you would not be willing to meet every day of the week.

42626. Do you mean the inner circle ?—No, it is all right ; but there is an outer circle not so pleasant to meet.

42627. As regards compensation : would you carry it still further ? There are people who claim that the liquor trade has inflicted damage on all classes. Would you compensate those for damage received ?—What claim do they make ?

42628. Families claim that the traffic has damaged and even ruined their sons, and wives say that the trade has ruined their husbands, and other people say that it reduced the wage-earning power of men and all that sort of thing. Is this all mere sentiment ? Do you think it right that claims should be presented by all those parties ?—I do not know how you would pay the claims.

42629. Moreover, if the trade were prohibited, would you compensate those men who would be unable to get drinks ?—No, I would not.

*By Judge McDonald :*

42630. You have attempted, as an alderman of the city, to secure an amendment of the law that would punish the man who drinks in a licensed house on Sunday, but you say you were not able to secure that provision ?—Yes, I wanted to put it in the law. I think that not only the bar-tender should be punished but the man who wanted the drink sold to him.

42631. What was the effect of your proposal ?—They laughed at it. They said that I wanted to punish the man who wanted the drink and not the bar-tender. I believe if you fine the bar-tender, you should also fine the man who wants the drink ; he caused the offence by the bar-tender.

J. E. MILLAR recalled.

*By Judge McDonald :*

42632. We understand that Donald is in your district?—Yes, I take the whole mainland and go as far as Golden.

42633. That is about the last place on the line, I believe?—Yes.

42634. Was there at one time a bonded warehouse at Donald?—Yes, up to within the last few months.

42635. By whom was it kept?—By J. C. Steene, who ran a hotel in Donald.

42636. Have you any figures showing the quantities of liquor handled during the past two years?—Yes. Up to that time it was part of the Victoria division. The statement I have is as follows :—

SPIRITS:—Ex-warehoused at Donald, B.C., during the years 1890-91 and 1891-92.

1890-91. Spirits ex-warehoused for consumption.....	\$273,961
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1891-92,	“	“	.....	285,319
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In my opinion, 80 per cent of this quantity went into the Territories.

J. E. MILLAR.

42637. Are you able to speak as to the disposition made of that liquor?—In passing through Donald the Commissioners would gain an idea of what the town is. About 20 per cent of the liquor was sold there and the balance went into the North-west Territories. As soon as the license system came into force in the North-west Territories the business was dropped, because there was no further sale there for the liquor.

42638. Did the keeper give bonds to the Government?—Yes, as is the case with all bonded warehouses.

42639. Was there an officer there to keep an eye on the liquor?—Yes.

42640. Was the place closed after the new law came in?—Yes.

EDWARD ODLUM, of Vancouver, fire insurance agent, on being duly sworn,  
deposed as follows :—

*By Judge McDonald :*

42641. How long have you lived in British Columbia?—About four years.

42642. Have you lived all that time in Vancouver?—No, I have been backwards and forwards to Ontario three times, and once down to Australia. I have been settled here perhaps three years.

42643. Did you come from Ontario originally?—Yes.

42644. From what county?—I was in several counties; I was in Peel County a number of years, and Halton and North Renfrew.

42645. Have you had any experience of a prohibitory law in those counties?—The Scott Act was tried in Renfrew while I was there.

42646. Do you mean that the Act was voted upon?—Yes; it was enforced part of two years.

42647. Were you residing there all the time?—Yes. Owing to the conflict between the Provincial Government and the Dominion Government they did not try to enforce it the third year. They were then attempting to enforce the McCarthy Act.

42648. Why was there a conflict between the two Governments?—Two sets of officers were trying to enforce the law. Until the second Inspector came on the scene the law was well enforced.

42649. What became of the Act itself?—During the last year it was a dead letter. I think the people voted on it again and returned to the old measure.

42650. The Act was repealed, at all events ?—Yes.

42651. Seeing the working of the law as you did, at what opinion did you arrive as regards its operation?—During the first year or eighteen months, it reduced drinking very materially.

42652. In what part of the county did you live?—In Pembroke.

42653. Was there any difficulty owing to liquor being brought over from the Quebec side of the river?—Yes, from Allumette Island and some smaller islands on the Quebec side.

42654. You, of course, had many lumbermen in and about Pembroke?—Yes, there are a good many there.

42655. You have a license law here, we understand?—Yes.

42656. Do you find it work satisfactorily?—So far as I can see, it works as satisfactorily as license laws in other places.

42657. Are you opposed to license?—I would favour prohibition, if I thought the people were prepared for it; but I am confident that they are not prepared, and I am satisfied that the Government would not attempt to enforce it.

42658. As a matter of principle you favour prohibition?—I could scarcely say in that particular how far I am prepared to go. I would not prohibit the manufacture of liquor; I would let it be used in drug stores as a drug.

42659. You will understand that when I speak of prohibition I mean prohibiting the sale of, or manufacture or importation of liquor for beverage purposes. It could be used for sacramental, medicinal and mechanical purposes.—As a matter of principle, I would favour prohibition.

42660. Failing prohibition, would you favour license or the untrammelled sale of liquor?—License by all means.

42661. Coming to the question of the practicability of prohibition, you think that at present it would not be practicable?—It would not be.

42662. What would be the difficulties in the way?—I think the chief difficulty would be that the majority of the people on this coast would not favour it.

42663. Do you believe that you must have a large majority in favour of such a law in order to make it a success?—I do indeed.

42664. In case of the enactment of such a law, do you think it would be proper to remunerate brewers and distillers for loss of plant and machinery?—If they had to cease their business quickly, as a result of that law, and they suffered loss, they should be compensated.

42665. Taking this community as you have found it, do you consider that it is a sober and law-abiding community?—Comparing this with other new cities, I think it is orderly and sober. There is less drinking here than in a great many of the seaport cities I have been in.

42666. Were you in Australia any length of time?—About six months.

42667. What system was in force there in regard to the liquor traffic?—A license system.

42668. Does it work very much on the same lines as it does here?—Very much the same. The only difference I found was that in some places they had two bars, and even four bars. I saw more drinking there than in any other place in which I have been. That was at Melbourne.

42669. Were you in the inland towns?—Yes, and I found the same state of things prevailed.

42670. Do you think that the temperance and church societies have exercised a good influence on the people here?—Yes. I may state, as you have asked for information, that I have been in Japan for over two years; and if there are any questions you wish to ask in regard to that country, I shall be glad to answer them.

42671. How is the liquor traffic handled there?—They have a license system there. Until lately the custom was to drink the liquor known as *saci*, a sweet drink made from rice. Drinking was very general there, but the policemen were always on the watch and would take a man up if he got in the least drunk. In fact you could not get out of sight of the police, as they were everywhere, and there were so many of them. Labour is cheap there, and of course it was easier to have a large number.

42672. Were you in China?—No.

42673. We understand that you have quite a large Chinese population here. Is drunkenness very frequent among them here?—No; they are very seldom charged with being drunk.

EDWARD ODLUM.



42674. Have you been in the Fiji Islands?—I was there, but I did not study the system.

42675. The Commissioners have been told by the Rev. Dr. Stewart, of Sackville University, that the Fiji Islands constitute the only place where a total prohibitory law prevails?—I did not think of asking anything about it. I had a conversation with a missionary there about the habits and customs of the people, but as to whether a prohibitory law or a license law was in force there, I have no recollection.

42676. Do you know whether that missionary is residing in Canada?—No, he is not; he is in Melbourne.

*By Rev. Dr. McLeod:*

42677. You said you were an insurance agent. Do you know if the companies you represent make special rates for property adjoining liquor stores?—Of course liquor stores are charged a higher rate than ordinary dwellings. It is a little difficult to explain that matter. There are rates according to the risk. Of course there is a base rate and also a base rate for hotels.

42678. Is a private dwelling adjoining a liquor store charged a higher rate?—Yes.

42679. Is that rate because of the proximity of the liquor store?—Yes.

CHARLES WILLIAM ROBSON, of Vancouver, on being duly sworn, deposed as follows:—

*By Judge McDonald:*

42680. What is your business occupation?—I am the manager of the Hudson Bay Company's stores here. We have four stores here.

42681. In the city?—Yes.

42682. What lines of business are carried on?—Dry goods and groceries, and wines and liquors.

42683. The business is carried on in the same way here as in Winnipeg and Victoria, and other places, I suppose?—Yes.

42684. What class of license have you?—We have a retail shop license for the sale of liquor.

42685. In what quantities are you allowed to sell?—Not less than one pint.

42686. Not to be drunk on the premises?—Yes.

42687. How long have you lived in Vancouver?—Three years.

42688. How long have you lived in British Columbia?—Eight years.

42689. In what other parts of the province have you resided?—I lived in Kamloops for twelve months, and I also lived in Victoria.

42690. Did you come here from one of the other provinces?—No, I am an Englishman.

42691. Taking the province as you have seen it, how do you find the license law work here?—I think it has worked all right; I have not seen anything out of the way.

42692. Do you think the people in this community are sober and law-abiding?—Yes, as far as I have seen.

42693. There is, of course, a greater population here than in the inland cities?—Yes.

42694. Have you had any experience of a prohibitory law?—None whatever.

42695. From your knowledge of British Columbia, do you think a general prohibitory law could be enforced in this province?—No.

42696. Do you think there would be smuggling?—Yes.

42697. The liquors sold by you, I suppose, are all imported?—Not all; some of them are manufactured in Canada.

42698. The liquors you sell have all been carefully rectified?—Yes; the Government requires that.

42699. A witness who gave evidence in Victoria or Nanaimo urged that an injustice was done to the Canadian manufacturers in the fact that foreign liquors are allowed to come in that may not have been rectified, while Canadian liquors were required to be kept two years for rectification purposes; and that some system should be adopted to place the imported liquors on the same basis. What is your view?—I think imported liquors should be placed on the same footing.

42700. There is no inspection made of foreign liquors?—Yes, by the Customs.

42701. In case of the enactment of a general prohibitory law, would you deem it right that brewers and distillers should be compensated for loss of plant and machinery?—Yes, I think they should.

42702. Can you suggest any amendment to the license law as it now exists?—I cannot.

*By Rev. Dr. McLeod :*

42703. You are manager of the whole Hudson Bay Company here?—Yes, of the whole of it.

42704. Do you think the license law here is well observed?—Yes.

42705. Then you do not agree with Dr. McGuigan's view of it?—Perhaps I have not seen as much of it as he has.

42706. Have you an opportunity of observing how the license law is carried out?—Not any more than by walking round the town.

42707. Speaking of the two years which spirits have to be kept for rectification purposes in this country, do you know whether it is in the interests of the distilling monopolies or of the people?—I could not say that. It certainly keeps some people out of the trade who would go into it if they could sell liquor as soon as it was made. It costs an immense amount of money to keep it two years. We get, however, a better class of liquor, for liquor is not as good when it is new as afterwards, and it keeps an undesirable class of people out of the trade. If this arrangement of keeping the liquor two years gives the manufacturers a monopoly of the business, in that way they are gainers.

42708. Then you think they are both gainers and losers?—Yes, and the public is in so much because the people are given a better quality of liquor.

42709. How long have you been manager of the Hudson Bay company's business here?—Over three years.

42710. You manage and control all branches of the business here?—Yes.

*By Judge McDonald :*

42711. Have you ever been in Alaska?—No.

JOHN DEVINE, of Vancouver, agent, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

42712. In what line of business are you engaged?—In collecting.

42713. How long have you been in British Columbia?—Seven years.

42714. Did you come here from one of the other provinces?—I came here from Manitoba.

42715. Have you had any opportunities of observing the working of the license law?—I am one of the Board of License Commissioners.

42716. Appointed by the City Council?—No, by the Government.

42717. Is the Board for the city of Vancouver?—Yes.

42718. Speaking as a Commissioner, are there any amendments that, in your opinion, are desirable at the present time? Speaking broadly of the law, if it were enforced, we would have a very fine city.

CHARLES WILLIAM ROBSON.

42719. Then you think that this is a good law as it stands?—Pretty good, but it is not enforced.

42720. Are there any amendments you could suggest to the Commission in regard to the license law?—There are.

42721. What are they?—There is the question of supplying liquor in the restaurants. You seem to be able to get it on Sunday and week days.

42722. You mean in what are called saloons?—No; they do not give food there. There are restaurants attached to many of the hotels, and by visiting them people can get liquor at any time.

42723. You mean people who go there?—They get a biscuit and sandwich with their liquor.

42724. Is that according to the law?—They are getting food, and they can obtain drink at the same time.

42725. You would do away with that privilege?—Certainly.

42726. Have you any further suggestions to offer?—No, I do not know of any at the present time. This is the first year, and the law is yet on trial.

42727. You are now under a new city charter, I believe?—Yes, and the trouble is that it is liable to be altered at any time by the Mayor and aldermen; it can be amended. At the present time the number of licenses is fixed at 55, and I think the number will be increased after a certain population at the rate of one license to 1,000 people. Then there is at the present time a number of saloons, the number being fixed. Suppose that one saloon-keeper dies or the license is cancelled, that cannot be reinstated at the present time; but the trouble is that by an amendment the law can be altered at any time.

42728. We understood that this city generally works under the provisions of the law?—Yes; but the Mayor and aldermen can amend the law.

42729. Do you mean that you would not give the Mayor power in this matter?—I am opposed to saloons. There are some good ones that are kept in proper order, but there are others that are not so kept.

42730. Are you opposed to saloons on principle?—Yes.

42731. Do you think it would be better if there was a law providing for the abolition of saloons?—Yes.

42732. Have you ever considered the question whether if the hotel bar or the saloon had to be abolished, which it would be better to dispense with?—I would favour retaining the hotels, because men can get meals there, and as a rule they are better kept. I merely say as a rule, for of course there are some good saloons.

42733. There are two views put forward. The first is, that people go to an hotel and drink who would not go to a saloon, and it is urged that the hotel in this way does more harm. Have you taken this point into account?—I have considered that point; still I am inclined to think the hotel is better than the saloon.

42734. Are there any amendments to the law you can suggest?—There is one in regard to the hour of closing. In many places the law is more strict in regard to closing than in Vancouver.

42735. I think it was put forward by one of the witnesses in regard to Vancouver that owing to vessels arriving here at all hours, the restrictions should not be so great?—The vessels arriving would not affect any one.

42736. Would you favour having a certain closing hour at night on week days?—Yes.

42737. And would you favour closing from Saturday until Monday morning?—I should say that the Sunday law should be rigidly enforced.

42738. Have you any knowledge as to whether the law is enforced or not?—It is not, because you can see men tipsy on the streets.

42739. Do you know whether the men bought liquor on that day, or whether they had bought it on some previous day and had it at home?—They would not be the sort of people who would have liquor at home.

42740. Has the attention of the police been called to this matter?—I presume so.

42741. By you?—By our Board; we pass resolutions. I happened a few moments ago to be looking at this book, and I find that the duties of the License Inspector are prescribed.

42742. It appears that the Inspector of Licenses is also Health Inspector?—No ; he is the Police Court Clerk, the Jailer and the License Inspector.

42743. Do these restrictions apply to him?—I find the following provision :—

94. " As License Inspector :

(1.) He shall have supervision over all persons to whom licenses are issued :

(2.) He shall make a thorough inspection of the premises sought to be licensed :

(3.) He shall make all inquiries relative to matters connected with the granting of licenses as may be required to secure the due observance of the By-Laws of the Council and to report thereon in full to the Council :

(4.) He shall visit at least once in every month, and oftener if necessary, every hotel, billiard saloon, boarding house or other public houses, and all premises licensed by the City, for the purpose of ascertaining whether the persons licensed comply with the provisions of By-laws governing licenses :

(5.) He shall prosecute all and every violation and infraction of by-laws aforesaid, and be vigilant and active in the discharge of his duty :

(6.) He shall keep a record in a book or books, the name and names of persons applying for a license, the object and purpose thereof, the date of the same, the location, description, size, number and size of bed-rooms, and character of the house, shop or other place for which a license is sought or granted, the number of times the person or persons obtaining or holding a license has or have been charged with any breach of the by-laws of the city, and any general information which may be of use as a reference in the future :

(7.) He shall report at least once in every month to the Council all his proceedings, together with a statement of all expenses incurred in carrying out the duties of his office :

(8.) All fees and costs incurred by him in the prosecution of offenders against the by-laws, not otherwise ordered to be paid, shall be paid out of the funds of the said city."

42744. Did you call the attention of the Inspector to those regulations?—The position is this ; he is in the service of the License Commissioners. We have a by-law of our own which governs ourselves, and he simply acts as the Board orders, but the Board has no power to discharge him.

42745. Have you called his attention to the provisions with respect to the Sunday law being non-enforced?—Yes.

42746. So you have done your duty?—Yes.

42747. Do you know what the effect of the law has been?—I do not know ; I think there were one or two convictions made after the law came into force.

42748. Some witnesses have stated to the Commission that the law has been observed?—It is very much better observed than it was before ; there can be no doubt about that matter.

42749. You, as a matter of principle, favour license in preference to prohibition?—Yes. I do not think prohibition could be carried as we are situated at present.

42750. You think it would not be practicable?—Quite so.

42751. What is necessary to make it practicable?—There is a floating population, and there are great opportunities for smuggling and everything of that kind.

42752. You find, I suppose, that the different church and temperance societies are working generally for good?—Yes, I think so.

42753. I suppose you find that as the years pass, changes in the social life and customs have occurred throughout Canada in this direction as well as in other directions, and especially in regard to drinking?—I think there is as much drinking now as there was 6 years ago.

42754. Taking the population here and the fact that this is a seaport town, is this an orderly and law-abiding community?—There is far more drinking now than I like.

42755. In the event of the enactment of a general prohibitory law, a law to prohibit the manufacture, importation and sale of intoxicating liquors for beverage purposes, do you think it would be right for brewers and distillers to receive compensation for loss of plant and machinery?—It would depend on circumstances and on the length of time they had been in business, because they have been licensed by law to carry on its manufacture ; and of course it would depend on the length of time given them to get out of the business.

42756. We have been told to-day by the Inland Revenue officer that although brewers and distillers are licensed from year to year, when they comply with the requirements of the law, it is practically a continuous business?—Exactly.

JOHN DEVINE.



42757. In fact we were told that in Victoria licenses became attached to the premises?—Indeed.

*By Rev. Dr. McLeod :*

42758. You spoke about violations of the license law. Are there other violations than the one you mentioned, that is, saloons where people take a biscuit or a sandwich with liquor on Sunday?—Yes.

42759. In what way?—In regard to shop licenses.

42760. Do the holders of shop licenses violate the law?—Yes.

42761. Do they sell liquor by the glass, for example?—Yes.

42762. Has that come to the attention of the Commissioners?—Everybody knows it.

42763. Has no attempt been made to check that sale?—Not so far.

42764. To what do you attribute that failure to check the sale?—Dr. McGuigan explained the matter pretty well when he said that the people did not think it did any harm to go into a licensed house and get a glass of liquor.

42765. Do you believe that license laws regulate the business when there are constant infractions of the law?—I believe the law should be strictly enforced in every particular.

42766. Who violates the law, and whose duty is it to prevent violations?—You can not help but say that it is the duty of the police and the License Inspector. We cannot do anything but give instructions to the officers to carry out the law.

42767. Do they attempt to carry out the law?—So far as the shop licenses go, I do not think so.

42768. Do they attempt to bring to book hotel-keepers who violate the Sunday law?—Yes; that was done in the first instance.

42769. If would appear, then, that the license law is not enforced in Vancouver?—So far as strictly carrying out the law, it is a perfect dead letter.

42770. I think you said prohibition would be impracticable on account of the present condition of the country. Do you believe in the principle of prohibition as applied to the liquor traffic?—I like it well.

*By Judge McDonald :*

42771. Do you think the violations have been more than the prosecutions?—Not altogether, perhaps. I may say that there is a great sentiment here against being an informer.

42772. Does the same feeling prevail in regard to informing about burglaries and thefts?—No; it applies only to the liquor traffic.

42773. Why?—The people do not consider it is a serious breach of the law. They look upon it as a breach of the law, but nothing wrong in itself.

42774. In this city, which pays the higher license, the saloon or the hotel?—The saloon. We asked the License Board to reduce the license fee on the shops. We considered the difference between \$400 and \$500 too small. We asked that the shop license should be reduced to \$250. The reason given for refusing was, that it would reduce the revenue of the city too much.

42775. What fee does the saloon pay?—\$500; the shop keeper \$400, and the hotel \$200. The largest sum is paid by the saloon-keeper, and he says that it is not fair that the shop-keeper should do a better trade than he does. Not one of them, however, wants to become an informer.

42776. You are a License Commissioner, we understand?—Yes.

42777. Would you be willing to inform against offenders?—I have not stated persons who were offenders, although I have a pretty good idea as to those that sell.

42778. Is there anything to prevent you from laying an information with the police against such offenders?—There is; but I would rather not say what it is.

42779. The law would allow you to be an informer?—There is no law about it. It is a question of going to those establishments and bringing cases against them, remembering that the persons who frequent them and take liquor are persons occupying very high positions.

42780. If there is an evil in the community, why do not you and your associates remove it?—I dare say we might try. I have never felt it to be my special duty. We pay a man to look after that matter, and he is the one who should do his duty.

42781. You say it is not your duty to do so?—I have never looked upon this matter in the light that I should personally act and do this.

42782. Take an example. We all know that in many communities there is formed an association for the protection of animals from cruelty, and this association sees that the law is observed, and further, institutes proceedings for cruelty to women and children?—Yes; I would inform in such cases. I have had some informers. Some hotel-keepers have co-operated with me in regard to some small matters.

42783. They have come to you as a License Commissioner, I suppose?—Yes; and they have asked me to move in certain matters, which I have done.

42784. At all events, nothing has been done?—No.

42785. The matter was talked about and nothing was done?—It was not much talked about.

HENRY A. MELLON, of Vancouver, general merchant, on being duly sworn, deposed as follows:—

*By Judge McDonald:*

42786. Do you hold any official position?—I am American-Lloyds agent, and Consul for Spain, and a Justice of the Peace for this province.

42787. How long have you resided in British Columbia?—Six years.

42788. How long have you resided in Vancouver?—All that time, with the exception of one month I was in Victoria.

42789. Did you come here from one of the other provinces?—I came from Manitoba; I was a Justice of the Peace there too.

42790. Have you had anything to do with the working of the license law?—No.

42791. Then only as a citizen have you known the working of the license law?—Yes.

42792. Have you found it work satisfactorily?—Yes.

42793. Are there any amendments to it that you could suggest?—No.

42794. Have you ever lived in a prohibitory country?—Yes.

42795. Where?—In the North-west Territories, at Rapid City. I was a pioneer in connection with that place, for I took 60 families out there myself.

42796. In what part is Rapid City?—At present it is in the Winnipeg district of Manitoba, but at the time I was speaking of, it was not within that constituency.

42797. When you lived there, was the North-west Mounted Police Force in existence?—Yes, and a prohibitory law also.

42798. How did you find it work?—For the first two years it worked exceptionally well. Liquor was very difficult to secure. There were permits given by Colonel McLeod.

42799. Was not smuggling carried on?—I suppose so, but I do not know decidedly.

42800. There was no railway in operation at that time?—No.

42801. You have spoken of the first two years of the Act and you have said that it worked well during that period?—Yes.

42802. How did it work after that?—After that, the North-west Territories Act came in, and there was more communication with the rest of the country. There was then more or less smuggling of liquor, and drinking was carried on in all places. This became such a nuisance that the citizens applied for a license law, and obtained it.

42803. Was that after Rapid City became a part of Manitoba?—Yes.

42804. Is the license law of Manitoba carried into force there?—Yes.

42805. Was it in force when you left there?—Yes, and I lived at Winnipeg for a time.

42806. Is there any other country in which you have lived where there was a prohibitory law in force?—I have been all over the world, and I have had considerable experience.

JOHN DEVINE.

42807. Have you been in the Fiji Islands?—I have been all over the world, India, China, Australia and Cape of Good Hope.

42808. In all those countries, were license laws in operation?—Yes.

42809. What is the custom in China?—They have a license law, but I could not tell you on what basis it is framed.

42810. And in regard to India, what has been your experience there?—There is a license law there also. But I might say this, before going further with respect to my experience in India: I was sub-lieutenant in the Naval Brigade, and scarcely any law is required in India, because drinking is a mere cipher. There is no drinking among the natives, their religion prohibits it, and the natives of India are a most temperate class. It is only in large cities, among the Anglo-Saxons, that you find the use of alcoholic liquors. I have formed the idea that it is almost essential to the existence of the Anglo-Saxons to use liquor more or less.

42811. Have you had any experience in Turkey?—The Turks of the country districts are very abstemious; yet when they go into large cities, where they come into contact with white people, some of the Mohammedans use liquor.

42812. We understand that the Mohammedan religion prohibits drinking liquor?—Yes.

42813. Have you seen anything in regard to the use of liquor in Persia?—No. My experience has been principally on the sea coast.

42814. In Arabia?—I have been all along the coast of Syria.

42815. What custom prevails there in regard to the use of liquor?—In the seaports there are licenses issued.

42816. In the Mediterranean countries do you find the use of light wines general?—Yes, principally in Alexandria and other eastern places. When you get to Gibraltar the sailors and people of the lower class use a great deal of rum and a kind of arrack. Amongst the more respectable classes a great deal of light wines is used, indeed, light wines are used at every meal.

42817. Taking your experience in British Columbia, do you think a prohibitory law could be practically enforced in this province?—No, I am certain it could not.

42818. What would be the difficulties here?—In the first place, there is an immense extent of coast, and in the second place, it is sparsely settled. The extent of the coast is such that every little bay or inlet might cover a distillery. The people would either distil liquor or smuggle it. Further, we have a large boundary line that it would be impossible to protect. It would require an army at least, and then I doubt whether it could be done.

42819. Supposing a general prohibitory law were passed, a law to prohibit the manufacture, importation and sale of alcoholic liquors for beverage purposes, do you think it would be right that brewers and distillers should be compensated for loss of plant and machinery? Yes, I think they should be compensated if a prohibitory law were passed. On the other hand, if prohibition became the law of the country, and the brewers and distillers were given proper notice and allowed time to wind up their affairs, I do not think compensation would be necessary. It would, however, be impossible to pass a prohibitory law and carry it into effect, because I think there would be a revolution in the country before it could be carried out.

*By Rev. Dr. McLeod:*

42820. I understand you have expressed yourself as having no objection to the license law as you have observed it here?—Yes.

42821. Do you object to the violations of the law concerning which we have had considerable testimony this afternoon? Speaking candidly, I believe those statements have been greatly exaggerated. I have not been in a saloon on Sunday since I have been here, unless I have had some business; otherwise I think drinking on Sunday is the exception to the rule. I do not know that I can remember positively ever seeing a drunken man on the street. I have seen some on Saturday night and I have even seen men jolly, boys too, who have had some liquor to set them up; but so far as seeing men drunk on Sunday is concerned, I have not seen one.

42822. Is it good for the boys to obtain liquor in that way?—No.



42823. Do you see any relation between that description of drinking on the part of the boys and the licensed liquor places. Is there any relation?—No. Those young men have a little jollification, and I could not see that any of them were incapable of going right back and attending to their business. On this coast we have a tendency to become more or less jolly.

42824. You belong to the Navy, I believe?—To the Naval Reserve.

42825. It was formerly the custom, I believe, to give rations of grog in the Navy?—Yes.

42826. But there has been a change in that respect?—It is optional with the men now. They can either take their grog or not. In India we supplied the men with beer in preference to rum, it was only when we arrived in more temperate climates that they got rum.

42827. Do you consider that beer was preferable to spirits?—Yes.

42828. Do you know from the history of the Navy up to the present time that there are now a very large number of men who refrain from grog entirely?—I believe so. I might say as regards myself that I sailed for 30 years, and 20 years of that time I was in command. Liquor cost me nothing and I never took anything on board ship during 20 years, but I took it when on shore. It was a matter of principle.

42829. Why is it that abstinence is encouraged in the Navy now by the officers? Do the officers think the men are better off than they were when rations of grog were served?—I do not think it is the duty of the officers to encourage or interfere in any way. Of course an officer may have his own personal views, but officially he is not allowed to say a word to the men. If an officer joins a church and becomes a missionary of that church in a lay capacity, he has a right to do this; but that is a personal matter.

42830. Then it would be proper for him to use his influence?—Certainly.

42831. Would that abstinence be in the interest of the men physically or otherwise, or against their interest?—I do not know. The present idea is that the physique of the sailors is not what it was 20 or 30 years ago.

42832. Do you think that is attributable in any respect to the abstinence from grog?—That is a question I should not like to go into.

42833. I believe you have said that you have come to the conclusion that grog is necessary to the existence of the Anglo-Saxons?—It seems to me to be so more or less. It seems they cannot get on without it.

42834. In your wide observation extending over a large portion of the world, have you observed whether it interfered with the existence of the Anglo-Saxons?—No. We found in India that the moderate drinker withstood the climate better, and when an epidemic came along he stood just as good a chance as the total abstainer. It was only when a man drank to excess that the liquor proved harmful. All the doctors recommended you to take one or two glasses of liquor daily in order to prevent torpidity of the liver.

42835. Do you think the use of liquor in this country prevents epidemics?—No, I do not think it has any influence one way or another.

42836. You have spoken about the impracticability of carrying out prohibition. Do you object to the principle of prohibition?—No.

42837. Do you believe if prohibition were enacted in Canada, and were well enforced, it would be productive of any good?—I think if there was a possibility of introducing prohibition and carrying it out thoroughly, that is to stamp out liquor from the world, it would be well for all concerned, but I cannot see that it is practicable.



W. D. BRYDONE JACK, M.D., of Vancouver, on being duly sworn, deposed as follows :—

*By Judge McDonald :*

42838. Are you a practising physician ?—Yes, I am a physician and surgeon.

42839. How long have you resided in British Columbia ?—Nearly three years.

42840. Have you resided all that time in Vancouver ?—Yes.

42841. Did you come here from one of the other provinces ?—I had been practising in England for several years, but I came here direct from Manitoba.

42842. Have you had any experience of a prohibitory law ?—I cannot say that I have. The Scott Act was in force in one of the districts of Ontario when I was there for a short time, but I did not take any notice of it.

42843. Have you been brought officially in connection with the working of the license law here ?—No.

42844. Only as a citizen ?—Yes.

42845. How does it appear to work ?—It seems to work very well. I think there are probably some violations of it.

42846. Are there any amendments that you would suggest to the Commission in regard to the law ?—I should not like to suggest any, because I have not studied the law.

42847. Taking the experience you have had in England and elsewhere and in Vancouver; and taking into consideration the fact that this is a seaport town, are the people here sober, orderly and law-abiding ?—I do not think there is any more drinking here than in other cities and seaport towns in England.

42848. Do you, as a matter of principle, favour prohibition or license ?—Prohibition.

42849. Are you opposed to the license law on principle ?—I prefer prohibition.

42850. If you cannot obtain prohibition, do you favour license to free sale ?—Certainly.

42851. In case of the enactment of a general prohibitory law, a law to prohibit the manufacture, importation and sale of alcoholic liquors, do you think it would be right to compensate brewers and distillers for loss of plant and machinery ?—Provided that a certain time was allowed them to close up their business, I do not think they should be given compensation.

42852. You would either compensate them or give them time to close up their business, I suppose ?—They would require one or the other.

*By Rev. Dr. McLeod :*

42853. Have you observed whether the Sunday law is violated here or is carried out ?—Of course I do not come into contact with saloons much on Sunday, but I have observed quite a few cases of drunkenness on the streets on Sunday ; on Sunday morning as well as in the evening.

42854. There has been testimony given to the effect that in houses of ill-fame, of which there are a considerable number here, there is liquor sold without license. Do you, as a physician, know whether the liquor trade is as a rule connected with the social evil ?—Always.

42855. That is your observation of it ?—Yes.

42856. Do you believe that total abstinence is compatible with the best health ?—Certainly.

42857. Is habitual moderate drinking harmful or harmless ?—Habitual drinking may be harmless in some cases, but not as a rule. A man is better without it.

42858. Have abstainers, other things being equal, any better expectation of life than habitual drinkers ?—Yes; that is one of the questions asked by most insurance companies, as to whether the applicant is a total abstainer or not.

42859. Are insurance companies careful about taking risks on moderate drinkers ?—They are, sometimes.

42860. In case of accidents or serious illness, have total abstainers a better chance of recovery than men with the drink habit, even in moderation ?—They have.

42861. Are the children of moderate drinkers more liable than the children of total abstainers to have brain or nervous or other physical defects ?—Yes.

42862. Speaking of heredity : have you observed whether the children of habitual drinkers are more likely to become drunkards than the children of total abstainers?—Yes, I think they are, from what I have noticed.

42863. What effect do you believe, from your knowledge as a practising physician, total abstinence and enforced prohibition would have on the health of the community at large?—It would have a beneficial effect.

42864. Have you given any attention to the cause of insanity?—Nothing special.

42865. Have you studied the subject sufficiently to be able to say whether alcoholism is in any degree the predisposing cause of insanity?—From my experience of cases of insanity, I should say that alcoholism is directly or indirectly the cause, indirectly I mean through its influence by others on individuals; in fact it is the predisposing cause in the great majority of cases.

*By Judge McDonald :*

42866. Do you find medical authorities agree with you in that opinion, or are you speaking purely from your own experience?—Partly from my own experience and partly from medical authorities.

42867. If the asylum authorities of Canada take a different view, do you think they are correct?—Asylum authorities in assigning the causes as given by the individuals do not take into account the causes of which I have spoken. They take into account only the direct causes.

42868. Would they not be in a better position to judge these matters than you?—Certainly they would, because they have a larger number of cases to deal with.

42869. Is there any difference, taking ordinary life insurance, in the premium paid by the total abstainer and the man who drinks in moderation?—Not in all companies. There are some companies that make a difference in favour of the total abstainer.

42870. Does your company make a special division of profits for total abstainers?—Yes.

42871. Do you know what the fact has been as regards total abstainers?—From what I have read of statistics on that point, it has been in favour of total abstainers.

42872. I am speaking of the financial effect?—What I was speaking of was the percentage of deaths.

42873. Taking the financial effect, what has that been?—I do not know much about it.

42874. Take the insurance companies : there are some of them, you say, that make special rates for total abstainers and a division of profits is made in favour of total abstainers. Did the total abstainers get their bonuses?—I could not say.

42875. Do you know that the result has been that the total abstainers have got profits added even beyond those obtained by the moderate drinker?—I could not say.

ALFRED ST. GEORGE HAMMERSLY, of Vancouver, on being duly sworn, deposed as follows:—

*By Judge McDonald :*

42876. What is your profession or occupation?—I am a barrister and I act as City Solicitor.

42877. How long have you resided in British Columbia?—Four and a half years.

42878. Where did you come from?—I came originally from England, and before that from Australia and New Zealand and other countries.

42879. Have you lived in any other city, except Vancouver, in British Columbia?—I resided a short time in Victoria, but nothing to count.

42880. What has been your experience in Australia in respect to dealing with the liquor traffic? Was there a license law in force there?—Yes, in the part I was in. At

W. D. BRYDENE JACK.

first there was a License Board appointed by the Government and Justices of the Peace, and it worked very well; it could not have been better. Latterly they repealed that law and adopted a local option law. The Legislature repealed that law, and went back to a license law.

42881. We have been told to-day that in Australia some places have two or three bars in one bar building?—Yes, that is the custom in regard to some hotels. There is no limit in regard to the number of bars.

42882. Are they in different rooms in the building?—There are as many bars as the hotel-keeper wishes. He does not pay any more for two or three than he would for one.

42883. In New Zealand, what is the law?—Exactly the same there.

42884. Is there no limit there in regard to the number of bars?—No.

42885. Do you know what were the license fees paid in those countries?—When I was there, five years ago, fees were £100 a year in the cities and towns, and £40 a year in the country.

42886. Had they different classes of licenses, such as hotel and saloon?—There are no saloons, they are all hotels.

42887. Is it the same in New Zealand?—Yes; they are all hotels. There are no such places as saloons in those countries.

42888. Are the same classes of liquors sold there as are sold here, spirits and fermented liquors?—Yes.

42889. Are there also light wines used in these countries?—Yes, to a certain extent; not very much. Whisky is the prevailing drink of the country, about the same as it is here.

42890. Taking your experience of different countries and your experience in Vancouver, and taking into account that this is a seaport town do you think the people are sober, orderly and law-abiding?—I think so, distinctly. This town compares favourably with towns in Australia and New Zealand. There is less drinking observable here; that is to say, that a passer-by would not see nearly as much drinking, or rather signs of drinking, as in either Australia or New Zealand.

42891. Have they a Sunday closing law there?—Yes; the law we have here is framed very much after the New Zealand and Australian laws.

42892. How is the Sunday law observed there?—About the same as it is here.

42893. How is it in New Zealand?—The same as here.

42894. Have you any knowledge as to how the Sunday law is observed here?—To say that liquor is not sold would be incorrect. It is almost impossible to prevent violations of the law.

42895. You were in this country before the present law come into force, I believe. Have you noticed any difference between the present time and before the Sunday closing law came into force?—Yes.

42896. Are there less effects of drinking manifest on Sunday?—Certainly, without a doubt. That law has been very beneficial.

42897. Are there any suggestions you can make to the Commission in regard to amending the license law?—No, I do not think so; at all events, no particular amendments. I would have severe punishment inflicted on habitual drunkards, more severe than is now provided for.

42898. Do you know whether there are people in this community who repeatedly appear before the Police Court and are fined for drunkenness, sent to jail for short terms, and shortly afterwards reappear in the Police Court?—I do not know; but if such is the case, and probably you will find some in every community, I think there should be very strict laws passed making habitual drunkenness a crime.

42899. Do you think the victims should be locked up in inebriate asylums?—I would punish them very severely indeed.

42900. Taking communities you have known in Australia, New Zealand, England and here, do you consider that the larger proportion of those who use intoxicating beverages use them moderately or immoderately?—Moderately.

42901. Taking those people, is the percentage large or small? Suppose you take 100 people who use alcoholic drink, how many use it to excess?—Ten or fifteen per cent.



When I say in excess, I do not mean habitual drinkers, but people who go beyond moderation.

42902. Do you know anything of the character of the liquor sold in this community, and do you favour a rigid inspection of liquor?—Certainly.

42903. Is there any provision in your license law for the inspection of liquor?—No, I do not think we could carry it out.

42904. Is there a Dominion Analyst or Inspector here?—I think not.

42905. Taking the country as you know it, do you believe prohibition is practicable here?—It certainly would not be.

42906. What would be the difficulties in the way?—I think there are difficulties in all communities. I have seen prohibition in force but it utterly failed.

42907. Where was that?—In the north part of New Zealand, where it was an absolute failure.

42908. Is the prohibition law still in force there, or not?—I could not say.

42909. What were the difficulties there?—The difficulty of enforcing the law. Such an immense number of people require liquor that it would be impossible to enforce the law, even with a large body of good officers.

42910. Do you mean that people would bring in liquor?—Yes. You would require an immense army of men, very vigilant, in order to suppress the traffic, and I do not believe it could be suppressed even then.

42911. In the event of a general prohibitory law, do you believe the brewers and distillers should be compensated for their plant and machinery rendered useless? Certainly.

*By Rev. Dr. McLeod:*

42912. Is your objection to prohibition because of the impracticability of carrying it out, or do you object to the principle of it?—I object to the principle of it. I think moderate drinking is perfectly right.

*By Judge McDonald:*

42913. In that country of which you have spoken (New Zealand), where a prohibitory law was in force, what were the means taken to enforce it, and were there domiciliary visits and inspections of places?—Yes, and there was also a police force.

42914. Do you mean a special force?—Yes, they had a special force to do the work.

42915. What was the character of the liquor used?—Whisky almost entirely. Spirits came in of very bad quality.

42916. They came in small bulk, I suppose, and could be smuggled in?—Yes.

42917. How are licenses granted there now? By the Licensing Board on receiving applications made by applicants; and at the same time there is the power of opposing licenses given to the people. If the people do not wish a license to be granted, their appeal is listened to, and if a license is not considered desirable, it is not given.

42918. Have a certain proportion of the people to act in opposition to the application?—The license is not granted unless it is considered reasonable and proper by the Commissioners to do so.

42919. Has the applicant to have the names of a certain proportion of the people to his petition, and certain accommodation on his premises?—Yes, they must have the regular accommodation for ordinary travellers.

42920. Is the number of the licenses limited according to the population?—No, the number is entirely at the discretion of the Commissioners.

42921. There is no limit, then, in the cities and in the rural districts?—No.

42922. Are there many wayside inns in Australia?—Yes, quite a number in the country.

42923. And in New Zealand, too?—The Act, as carried out by the Commissioners, works very well, and the hotels are maintained up to a certain standard, and licenses are not granted unless hotels are first class.

42924. If an hotel is granted a license in spite of considerable opposition being made, how long would the license continue in force?—One year.

ALFRED ST. GEORGE HAMMERSLY.



42925. At the end of that year, could opposition be again made?—Yes, for a fresh application would have to be made.

42926. Then the licensee would not obtain a vested interest in the license, contingent on good behaviour?—No.

42927. We understand that in some parts of British Columbia men having licenses do not have to apply for renewals?—There is an idea that it is so, but it is not really so.

42928. In Victoria we understood that was the practice in some cases?—It is not so here. There is a provision in the law that if a man absconds, any party interested in the house, the owner or the landlord, can apply and get the license issued to him for the house.

42929. If a licensee became insolvent, his assignee could not put in the license as part of the property?—No, there is no vested interest in that way.

42930. And the executor could not do anything with it?—No. So long as the licensee behaves himself, the license is likely to be granted continuously; but it is in the power of the Licensing Commissioners not to renew it.

The Commission adjourned, to resume its sittings in California, U. S. A.



## APPENDIX No. 1.

*Letter submitted by Police Magistrate Peebles, of Winnipeg :*

*Re Liquor License Act. Reply of Board of Police Commissioners to letter from Department of the Attorney-General.*

The Board of Police Commissioners have had referred to them the letter from the Attorney-General's Department, of 23rd ult., in reference to the enforcement of the Liquor License Act in Winnipeg. Having given the matter their best consideration, they submit the following as their response to the communication referred to, as well as to others upon the same subject :—

The authority of the Board, under the provisions of the Act, appears to be very generally misunderstood, and to be assumed to be more extensive than as a fact it is. This appears from communications to and referring to the Board on this as well as on other questions.

The police force under the control of the Board is a very small one, considering the extent of the territory it is intended to protect, and it is no doubt largely owing to its efficiency that an increase in the numbers has not yet become an absolute necessity. As it is, the patrol service has so far been confined within a very limited area, almost to Main Street.

The force is as large as the appropriation will properly maintain.

The preservation of the peace and the protection of the lives and property of the citizens appears to be the first duty of a police force.

To assist in enforcing the observance of the law, in other and all respects, is also admitted to be a duty.

It is admitted, however, that there are statutory offences in respect to which the duty of members of a regular police force must be of a limited character, or otherwise its value for protective or more important purposes will be greatly lessened, if not destroyed. This remark specially applies to the question under consideration.

The police constables wear uniforms when on duty, are well known, and in connection with this matter could be of little service as detectives, apart from the fact that their acting in that capacity would certainly affect their usefulness in connection with other and paramount duties.

The Board is of opinion that it comes within the duty of a police constable on patrol to take cognizance of any infraction of the Liquor License Act, as well as of any local or general law that he may see or have his attention called to, such as the keeping open of bar-rooms during prohibited hours, or any other open violation of the law, but this can only be done within the ordinary patrol limits.

In connection with the performance of this duty, copies of the synopsis of the Act referred to in section 118, should be furnished to the Police Department.

The expenditure of the Board and its purpose is strictly defined and limited by the Act. It has no appropriation in connection with the enforcement of the provisions of the Liquor License Act for the payment of the class of detectives required in connection with the enforcement of laws of this character, and the Board does not consider it has any authority to make or order such an expenditure.

Section 14 of the Act appears to place the responsibility in this connection upon the municipality where there is no inspector appointed by the Lieutenant-Governor in Council, resident therein.

This Board has hitherto been under the impression that the duty of looking after the enforcement of the Liquor License Act has been assumed by the Inspector of the Government, resident in the municipality, in connection with the City Inspector.

As this does not appear to be the case, the Board is prepared to give such instructions to the police constables as to their duties in the premises, as it considers proper that they should perform, and as already indicated.

## APPENDIX No. 2.

*The following statement was submitted by Charles H. Cordingley, of Winnipeg :*

## CITY OF WINNIPEG.

## 10 WHOLESALE HOUSES.

		Average.
Stocks carried amount to.....	\$ 257,000	\$321 25
Number of employees.....	68	8½
Yearly wages.....	\$43,740	\$5,467

These figures are the returns furnished by 8 out of the 10 wholesale houses. Value of real estate and premises not furnished. The value of real estate and buildings not given by the wholesale merchants.

## 38 HOTELS AND 8 RESTAURANTS.

Present value of property (real estate and buildings).....	\$1,091,500	\$31,186
Depreciation on above.....	\$541,800	\$15,480
Number of employees.....	244	7
Yearly wages.....	\$124,114	\$3,546
Value of bar fixtures and stock.....	\$47,300	\$4,208

(Depreciation of fixtures and stocks not given in to the undersigned. Think 50 per cent would be a low estimate.) This does not include the value of furniture.

These are the figures furnished by 35 out of 46 hotels and restaurants, basing my figures on the above returns furnished by 35 out of 46 licensees, the full returns would amount to as follows :—

Value of properties.....	\$1,282,900
Depreciation.....	\$628,117
Number of employees.....	313
Yearly wages.....	\$159,512
Value of bar fixtures and stocks.....	\$183,434
Total number of employees.....	381
Total amount of wages.....	\$203,252

In addition to the above there are 2 breweries and 2 cigar factories who employ a large number of hands in the city.

There are 84 licenses in the Province of Manitoba exclusive of the City of Winnipeg.

Value of properties occupied by licensees—

Real estate and buildings.....	\$ 699,653
Depreciation on above.....	\$375,519
Stocks of liquors and bar fixtures.....	\$137,396
Number of employees.....	510
Yearly wages paid them.....	\$161,744

In addition to the above there should be the value of the furniture in the hotels (not furnished to me) the depreciation on which as well as the stock and bar fixtures I should estimate would be at least 50 per cent.

The above are the returns furnished me by 76 out of 84 licensees in the province. Basing my figures on the above returns, my estimates for the full returns would be as follows :—

Value of properties.....	\$773,502
Depreciation.....	\$415,047
Value of stocks and fixtures.....	\$153,175
Number of employees.....	573
Yearly wages paid them.....	\$178,756
Total number of employees in the province.....	944
Total wages paid them.....	\$382,008

In addition to the above there are 14 wholesale houses and 4 breweries employing a large number of hands.



## APPENDIX No. 3.

*The following provisions of the deliverance of General Conference of Methodist Church were submitted by Rev. John Semmens, of Winnipeg :*

1. The attitude of the Methodist Church toward the liquor traffic has been from the beginning one of unabating opposition. We declare it to be offensive to God and ruinous to man, a deadly foe to the happiness, morality and prosperity of any people. We strenuously urge that total abstinence for the individual, and total prohibition for the State, are principles which claim our unhesitating support as a Christian Church.

2. We believe and teach that the liquor traffic cannot be licensed without sin. Into the licensed bar-room men are tempted in social and business intercourse, and speedily the habit of social treating ripens into the habit of drunkenness. We appeal to you to unite with us in securing the outlawry of this abomination of desolation—the licensed bar-room—in every community, by using your vote and influence against the granting of licenses. When the traffic is outlawed we believe it to be the patriotic duty of every citizen to secure the suppression of all illicit traffic by aggressive legal measures.

3. We are aware of the wide-spread indignation regarding very inefficient enforcement of prohibitory laws against the liquor traffic. The burden of securing evidence, and of bearing expenses of prosecution is too frequently thrown upon private citizens. We believe that the Government should as strictly enforce the laws against law-breakers of the saloon as against any class of criminals. When the Government refuses to do this it is guilty of an executive weakness against which we protest. This weakness cannot be remedied if we lessen our efforts or compromise with the foe, but only by patient, persistent agitation directed toward clearing out of all public offices incompetent idlers and sympathisers with the liquor traffic.

4. We rejoice in the fact that an advance has been made by the Manitoba Legislature in calling for a plebiscite vote upon Prohibition, and we pledge ourselves to use our votes and influence in favour of Prohibition.

5. We regret to learn that the Prohibitory Law, imperfect though it was, in the North-west Territories has been repealed in favour of license law. This has been followed, we are credibly informed, by a greater flood of intoxicating liquors than has ever before been witnessed. We urge the temperance people of the Territories to roll back this flood of iniquity, and unite with Manitoba in bringing this great land under the rule of prohibition, strictly enforced.

6. We recognize the fact that a prohibitory law without a Government in sympathy with it, to enforce it as part of its policy, would be a dead law upon our statute-book. The inconsistency of professedly temperance voters, who preached prohibition and voted against it in the election of their candidates, has in the past defeated their own desire for a prohibitory law. Also, by duplicity and craftiness designing politicians have in times past deceived and duped the people in their dealing with this question. We therefore urge the Christian men of our Church, and of others also, who love their country, to use their votes and influence to secure the election of legislators whose past record is clean, and who have shown before their nomination a sympathy with prohibition. Sudden conversions of candidates for office to this cause on the eve of an election are often spurious, and followed by grievous back-sliding. The time has, in our opinion, come when the Church of God, of which the Methodist Church is an influential part, should definitely and for ever separate itself from the liquor traffic, and oppose any Government which leans upon the liquor traffic for support.

## APPENDIX No. 4.

*The following resolution was submitted by Rev. A. Urquhart, of Brandon :*

The minutes of the Ninth Synod of Manitoba and the North-west Territories of the Presbyterian Church of Canada, 1891, show :

Thirteenth Sederunt, Tuesday afternoon.

That from discussions during the present election of members to the North-west Council, on the platform and in the press, it would seem probable that an attempt would be made to change the North-west Act in relation to prohibition.

That in opinion of this Synod, the Prohibition law as it stands, if properly administered, suits the circumstances of the population and state of society of the Territories better than any proposed Legislation.

That the Synod is constrained to express its decided judgment that the spirit of the prohibition law, has been grossly violated and subverted by the way in which permits have been issued by the Lieutenant-Governor to persons, and in quantities, wholly at variance with the scope and intent of the Act.

That the Synod does respectfully but earnestly petition the North-west Assembly not to make any changes in the Act which may in any way relax those provisions which guarantee immunity from the numerous evils that result from the traffic in intoxicating drinks.

That in the judgment of this Synod before any licenses to sell intoxicating drinks be granted to any person or persons, he or they must have secured the names on petition of at least fifteen out of twenty of the nearest resident householders, who are at the same time ratepayers.

That the Synod earnestly requests the hearty co-operation of all the Christian Churches in strengthening the hands of our legislators in our desire to prevent or curtail the pernicious drink traffic by public resolution and private effort.

That the Synod earnestly recommends all its ministers, elders and members to earnestly pray and diligently to work in every legitimate way to guard the homes and families of the people of the North-west Territories from the dreadful scourge of drunkenness.

## APPENDIX No. 5.

*Copy of deliverance on prohibition adopted by the Baptist Church in Manitoba, submitted by Rev. Wm. Jenkins, Brandon.*

## PROHIBITION.

Whereas we believe that the liquor traffic is a curse in our land, that all methods of restriction have failed to curtail its ravages : Resolved that we are convinced that absolute prohibition is an imperative necessity ; and that nothing but this will banish intemperance from our fair country ; Resolved also that we welcome the opportunity to express at the polls at the coming general election our desire for the immediate enactment and enforcement of a prohibition law. Moved by Messrs. King and McDonald and carried by a standing vote.

## APPENDIX No. 6.

*The following statements were submitted by Robert B. Gordon, of Regina :*

The return of special permits after the introduction of intoxicating liquors into the North-west Territories, during the year 1889, shows the following summary :—

Spirits—	Galls.
Whisky . . . . .	9,485½
Brandy . . . . .	1,080
Gin . . . . .	454½
Rum . . . . .	224½
Alcohol . . . . .	416
Total . . . . .	11,660½
Wine . . . . .	1,482
Beer . . . . .	25,527
Porter . . . . .	571
Beer imported for sale, limited, four per cent alcohol . . . . .	112,448½
Total . . . . .	151,629

Liquors sold on dining cars of the Canadian Pacific Railway under permit for wine and beer, dated 30th July, 1886, from the 25th January to 25th December, 1889: wine, 164½ galls. ; beer, 2,607 galls. The similar return for 1890, shows the following summary of spirits :—

Spirits—	Galls.
Whisky . . . . .	10,492
Brandy . . . . .	1,126½
Gin . . . . .	450½
Rum . . . . .	120½
Alcohol . . . . .	227½
Total . . . . .	12,417
Wine . . . . .	1,464
Beer . . . . .	41,660
Porter . . . . .	1,013
Beer, for sale, limit, four per cent alcohol . . . . .	97,116½
Grand total . . . . .	153,670½

\* Liquors sold on dining cars of Canadian Pacific Railway, under permit for wine and beer, dated 30th July, 1886, from the 25th January to 25th December, 1890: wine, 82½ galls. ; beer, 889 galls. A similar return for 1891, shows the following :—

Spirits—	Galls.
Whisky . . . . .	12,251
Brandy . . . . .	1,203
Gin . . . . .	457
Rum . . . . .	102
Alcohol . . . . .	328
Total . . . . .	14,341
Wine . . . . .	1,625
Beer . . . . .	18,652
Porter . . . . .	281
Beer for sale, limit, four per cent alcohol . . . . .	86,926½
Grand total . . . . .	121,825½

Liquors sold on dining cars of Canadian Pacific Railway, under permit for wine and beer, dated 30th July, 1886, from the 25th January to 25th December, 1891: wine, 76 galls. ; beer, 673 galls.

APPENDIX No. 7.

*Paper submitted by Robert B. Gordon, of Regina :*

FORM OF PERMITS.

NORTH-WEST TERRITORIES.		All cancelled permits to be forwarded to the Lieutenant-Governor's office every month.	(Back) Cancelled the day Signed, 189	NORTH-WEST TERRITORIES,	
Liquor Permit, No. 5049.				No. 5049. Liquor Permit, Regina, N.W.T., 189 .	
Granted to		This coupon must be returned before another permit is granted.		Within . . . month from date . . . . . of . . . . . is permitted to take into the North-west Territories . . . . .	
On what ground granted				. . . . .	
Quantity of liquor granted				and to have the same at any time hereafter in his possession for . . . . . purposes.	
				Countersigned,	
				. . . . .	
Date . . . . .				Secretary. Lieut.-Governor, N.W.T.	
Limit . . . . . Month				This Permit can only be used once and must be cancelled on presentation whether the whole or any portion of the quantity specified be brought into the Territories.	
				CAUTION.	
(Back)				No further permit will be issued to any one who transfers his Permit or who imports or is found in possession of liquor imported under Permit granted to another person.	
Cancelled the . . . . .				NOT TRANSFERABLE.	
day of . . . . . 189 .					
Signed,					



## APPENDIX No. 8.

*Statement submitted by Robert B. Gordon, of Regina :*

OFFENCES committed in 1892, from January 7th, to end of October—All others but Indians and Chinese.

No.	Offence.	Committed in Police Court.	Sent for Trial.	Dis- charged.	Total.
1	Aggravated assault.....	3	1	2	6
	Assault.....	25	..	18	43
2	Assault with intent to do greivous bodily harm.....	1	..	..	1
3	Assault police.....	7	..	1	8
4	Bringing stolen property into Canada.....	1	..	1	2
5	Burglary.....	..	..	1	1
6	Beating passage on steamboat.....	1	..	..	1
	Buggery.....	..	2	..	2
7	Carrying concealed weapons.....	3	..	..	3
8	Cruelty to animals.....	1	..	1	2
9	Cutting and wounding.....	3	..	1	4
10	City by-laws, infraction of.....	81	..	59	140
11	Desertion from Royal Navy.....	..	..	11	11
	Creating a disturbance.....	1	..	2	3
12	Fighting.....	17	..	4	21
13	Drunks.....	244	..	6	250
14	Embezzlement.....	..	..	1	1
15	Forgery.....	..	1	..	1
	Fraud.....	..	..	2	2
16	Game laws, offences against.....	..	..	1	1
	Felony.....	..	1	..	1
17	Highway robbery.....	..	2	1	3
	Gambling.....	1	..	..	1
18	Insulting language.....	6	..	3	9
19	Larceny.....	21	3	26	50
20	Infraction Liquor License Act.....	5	..	4	9
	Lodgings.....	..	..	25	25
21	Infraction Militia Regulations.....	2	..	..	2
	Indecent assault.....	1	1	..	2
22	“ exposure.....	1	..	..	1
	Malicious injury to property.....	2	..	2	4
23	Maliciously wounding cattle.....	..	1	..	1
	Merchant Seamen's Act.....	2	..	..	2
24	Malicious assault.....	1	..	..	1
	Receiving stolen property.....	..	1	1	2
25	Necessary witness.....	..	..	2	2
	Resisting police.....	1	..	3	4
26	Refuse to pay wages.....	4	..	..	4
27	Public morals by-law, infraction of.....	61	..	13	74
28	Supplying intoxicants.....	18	..	5	23
29	Pointing a gun.....	1	..	1	2
30	Threatening language.....	1	..	1	2
31	Unsound mind, etc.....	4	..	13	17
32	Vagrancy Act.....	30	..	14	44
33	Obtaining money by false pretence.....	..	..	1	1
34	“ goods.....	..	..	2	2
35	Possession of intoxicants.....	..	..	..	..
	Totals.....	552	13	227	792

INDIANS.					CHINESE.			
No.	Committed in Police Court.	Sent for Trial.	Discharged.	Total.	Committed in Police Court.	Sent for Trial.	Discharged.	Total.
1	1	....	....	1	5	1	2	8
2	....	....	....	....	....	....	....	....
3	....	....	....	....	....	....	....	....
4	....	....	....	....	....	....	....	....
5	....	....	....	....	....	....	....	....
6	....	....	....	....	....	....	....	....
7	....	....	....	....	....	....	....	....
8	....	....	....	....	....	....	....	....
9	....	....	....	....	....	1	....	1
10	....	....	....	....	27	....	13	40
11	....	....	....	....	2	....	....	2
12	....	....	....	....	3	....	....	3
13	88	....	1	89	....	....	....	....
14	....	....	....	....	....	....	....	....
15	....	....	....	....	....	....	....	....
16	....	....	....	....	....	....	....	....
17	....	....	....	....	10	....	12	22
18	....	....	....	....	....	....	....	....
19	1	....	1	2	6	3	....	9
20	....	....	....	....	....	....	....	....
21	....	....	....	....	1	....	....	1
22	....	....	....	....	3	....	....	3
23	....	....	....	....	....	....	....	....
24	....	....	....	....	1	....	....	1
25	....	....	6	6	....	....	1	1
26	2	....	....	2	1	....	....	1
27	....	....	....	....	....	....	2	2
28	....	....	....	....	1	....	4	7
29	....	....	....	....	....	....	....	....
30	....	....	....	....	2	....	2	4
31	....	....	....	....	....	....	....	....
32	....	....	....	....	1	....	2	3
33	....	....	....	....	....	1	1	2
34	....	....	....	....	....	....	....	....
35	35	....	3	38	....	....	....	....
	127	10	11	138	65	6	39	110

## APPENDIX No. 9.

*Rev. Coverdale Watson, of Victoria, submitted the following report :—*

## REPORT OF THE COMMITTEE ON TEMPERANCE.

Your Committee find that many things might be recorded to show that the temperance sentiment is still widening and deepening in this province. Chief among them we note the large increase in the number of the Independent Order Good Templars Lodges, and the establishment of the Sons of Temperance, which has now several divisions in active operation.

The resuscitation of the Provincial branch of the Dominion Alliance and the untiring zeal of the Women's Christian Temperance Union temperance workers, have been successful in preventing the Licensing Boards from granting some applications for licenses, and in securing in one of the courts decisions adverse to the liquor interests.

We record our appreciation of the action of a few of the school boards in introducing scientific temperance instruction into some of the public schools, and note with pleasure the good effect that has been produced by the enforcement of the Sunday Closing Act of the previous session of the Legislature.

We thankfully express our conviction that the ministers and members of our church are still in the front rank of the leaders of the Temperance Reform and of Prohibition.

We observe with apprehension that the determination of those interested in the liquor traffic to wrest from us our privileges, and to secure the removal of the restriction that past legislation has put upon their previous business.

Eternal vigilance to guard our privileges, determined opposition to encroachment upon our liberties and persistent attack upon the legal recognition of the liquor traffic ought to be the platform of all temperance workers.

This is the more apparent when we have still to deplore : 1. The persistent foisting of the traffic upon unwilling communities, in direct contravention of the requirements of the Liquor License Law ; 2. The sympathy and interest shown by many justices of the peace in assisting parties seeking license to evade the requirements of the law ; 3. The insidious and successful tampering with the Municipal Act, by which it is impossible in specific cases for a license to be procured without securing the consent of two-thirds of the responsible residents of the municipality ; 4. The unjustifiable laxity in many cases of those appointed to enforce the law which allows the illegal sale of intoxicants not only clandestinely, but even openly and over a bar, especially upon coasting and river steamboats.

These things convince us that we need a radical change in the sentiment, or in the personnel of those who represent the people of this province, and leads us to urge temperance workers to close up their ranks, and in the future to take a more aggressive attitude than in the past.

In conclusion, as in the report of last year, we would earnestly recommend the constant and faithful inculcation of temperance principles in the homes of our people and also in the Sunday School, so that the young, who are the hope of the future, may grow up in an atmosphere that will naturally qualify them for taking an intelligent and loyal stand on the great question of prohibition.

## APPENDIX No. 10.

*Paper submitted by the Chief of Police of New Westminster :*

	1880.	1881.	1882.	1883.
Drunk.....	58	65	85	83
Drunk and disorderly.....	26	16	21	17
Drunk and incapable.....	12	14	11	12
Giving intoxicants to Indians.....	48	37	41	40
Intoxicants in possession of Indians.....	2	6	10	6
White men with intoxicants in Indian houses.....	..	3	4	2
do do do reserves.....	..	..	2	..
Total liquor cases.....	146	141	174	160
All other cases received in jail.....	84	45	62	69
Total received in jail.....	230	186	236	229

Liquor cases over 75 per cent of total.

From all other cases, several, such as assault and vagrancy, might be put down to drunkenness.

Besides the above from 20 to 30 cases are annually tried by summons in the Police Court such as assaults, malicious damage to property, threatening language, &amp;c., the majority of which cases are caused through drunkenness.

	1884.	Total 4 years 11 months.
Drunk.....	123	414
Drunk and disorderly.....	18	93
Drunk and incapable.....	19	68
Giving intoxicants to Indians.....	73	239
Intoxicants in possession of Indians.....	21	45
White men with intoxicants in Indian houses.....	9	18
do do do reserves.....	3	5
Total liquor cases.....	266	887
All other cases received in jail.....	85	345
Total received in jail.....	351	1,252



## APPENDIX No. II.

## VICTORIA, B.C.

## CONVICTIONS for Offences committed in 1891.

Nature of Offence.	Committed by all except Indians and Chinese.	Committed by Indians.	Committed by Chinese.	Total.
Assault .....	30	8	4	42
Infraction of city by-laws .....	136		39	175
Drunkenness .....	406	175	1	582
Gambling .....	29		12	41
Infraction of Public Morals Act.....	36		5	41
Supplying intoxicants to Indians.....	29		2	31
Vagrancy .....	42		4	46
Possession of intoxicants .....		35		35
Other offences .....	96	3	12	111
Total.....	804	221	79	1,104

## SUMMARY of Cases before the court.

Convicted in police court.....	804	221	79	1,104
Sent for trial.....	31	2	6	39
Discharged.....	231	28	31	290
Grand total .....	1,066	251	116	1,433
Total cases before court for drunkenness .....	423	182	1	606

(Compiled from the Report of the Superintendent of Police for 1891. See page 479 of Evidence.)



### NOTES AND ERRATA.

Page 87 —Question 31885, first line, substitute word *arrested* for words “committed to jail.”

Page 464—28th line from bottom, insert words *or the whim* between the words “good-will” and “of a government.”

Page 466—The following explanatory note by Lieutenant Governor Royal should have been inserted :—

“Free permits were also given (in 1891) for 1,625 gallons of wine, 18,652 gallons of porter. The said permits, granted free of fee, are included in the total ( ? permits) “given for 1891.”

Page 471—Question 39097, 4th line, insert word *six* between words “\$75 each” and “months” (so as to read : each six months).

Page 474—Question 39148, 2nd line, substitute the word *for* for the word “after.”

Page 486—Question 39424, 5th line, insert the word *not* between the words “is” and “benefited.”

Page 557—Question 40838, 2nd line, and 3rd line, substitute *22* for “28.”





# INDEX AND ANALYSIS OF EVIDENCE.

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## MANITOBA, THE NORTH-WEST TERRITORIES AND BRITISH COLUMBIA.

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### WINNIPEG, 24th, 25th, 26th and 27th of OCTOBER, 1892.

AIRD, ALEXANDER A., of Winnipeg, Clerk of Police Force.....Page **89**

Resident eleven years, clerk ten (31933-4) ; Scott Act in Coburg, Ont., unsuccessful ; lacked machinery (31937-41) ; majority of drunkards repeaters ; Sunday drinkers (31943-5) ; favours asylum for habitual drunkards ; imprisonment ineffectual (31947-50) ; crime and liquor (31953-64).

ARDAGH, Hon. WILLIAM DAVIS, Judge of Eastern Judicial District of Manitoba  
Page **69**

Resident in Winnipeg ten years. Judge nine years, formerly member of Legislature of Ontario, License Commissioner under McCarthy Act (31636-50) ; Scott Act in Simcoe, Ont., failure ; delegatized, more dangerous than licensed, trade ; breweries under Scott Act ; temperance sentiment affected drinking habits (31640-3, 31681-94) ; McCarthy Act best yet ; Provincial Act lacks strength (31652-76) ; Sunday selling (31657-8) ; little illicit traffic (31671) ; favours high license with inspection, and hotels only (31659-62) ; prohibition in Maine 25 years ago dead letter (31674-5, 31715-16) ; license preferable to prohibition (31676) ; prohibition promotes drinking (31712-19) ; favours compensation (31679, 31718-20) ; drunkenness and crime (31664-9, 31725-29.)

BAIN, Hon. JOHN J., Judge of Court of Queen's Bench of Province of Manitoba.  
Page **65**

Resident twenty years, Judge five years (31557-8) ; license law broken, Sunday observance bad, minor's clause observed, illicit selling prevalent (31561-81) ; enforcement of all law depends on public sentiment (31582, 31591-2 31612, 31615,) ; hotel preferable to saloon license (31575) ; favours high license, limitation of number, regulation and inspection (31576-7, 31614) ; liquor easily obtained under prohibition in Maine (31587-90) ; prohibition practicable (31591) ; law not enforced, demoralizing (31595) ; crime and liquor (31598-600) ; prohibition in North-west unsuccessful and demoralizing (31675-9).

BELL, GORDON, M.D., Medical Superintendent of Manitoba Reformatory. . Page **172**

Resident five years, recently appointed Superintendent (33331-5) ; inmates in asylum and liquor (33336-41) ; proportion attributable to liquor (33342-7, 33364-7) ; heredity (33363) ; Scott Act in Renfrew beneficial (33348-50) ; repealed, people not in sympathy (33351-6) ; favours total prohibition ; anti compensation (33357-8, 33373) ; total abstinence compatible with best health (33369-72).

BROWN, CHARLES J. of Winnipeg, City Clerk.....Page **91**

Resident twenty years (31965-8) ; city obtains revenue from license (31969-72).

- BURBANK, EDWARD A., of Winnipeg, Manager of Merchants' Protective Law and Collection Association. . . . . Page **134**  
 Resident in Province four years (32743); prohibition in Kansas, Iowa and Maine, laws without prohibition; liquor obtainable by physicians' certificates, "blind pigs," and illicit dives (32745-71); United States licenses; possession *prima facie* evidence of breach of law in Maine (32749-66); statistics for Maine and New Hampshire (32778-823); local option failure at Carman (32792-806); favours absolute prohibition if practicable, but not practicable (32791-9, 32900); license law well observed in Deloraine (32886-91); favours inspection of liquor (32840-1); favours compensation (32813).
- CORDINGLEY, CHARLES H., of Winnipeg, Accountant. . . . . Page **150**  
 Secretary of Licensed Victuallers' Association of Manitoba; in Province six years, with Villie, Carey & Co., wholesale liquor merchants (33036-7, 33097-9); license law well observed; violated by low class; Sunday sales (33042-3, 33096-100); Victuallers' Association enforces law (33099-108); anti prohibition on principle; prohibition would depreciate property; liquor trade does not; favours high license (33070-93).
- COSTIGAN, HENRY A., of Winnipeg, Collector of Inland Revenue. . . . . Page **14**  
 In Winnipeg fourteen years; collector six years (30666-7); consumption of liquor decreased in last ten years (30670-72); occasional illicit distilling (30671-80); stills seized; illicit distillers sell as fast as they make (307421-22); smuggling in Manitoba and Territories (30687, 30690, 30730-33); permit system in Territories non-prohibitory; difficult of administration; permits indiscriminately granted (30711-30728).
- COUTLEE, LOUIS W., of Winnipeg, Commander of Field Battery. . . . . Page **88**  
 Resident eleven years; formerly connected with the Canadian Pacific Railway; Deputy Attorney General for Manitoba (31910-12); Dominion Public Works Act enforced on construction; Province of Manitoba sought to put Provincial law in force and issue licenses; unsuccessful (31913-16); Act difficult of enforcement; smuggling in all shapes (31917-19); prohibition in Maine not observed (31921-4); prohibition impracticable in Manitoba (31913).
- DREWRY, EDWARD L., of Winnipeg, Brewer. . . . . Page **32**  
 In Winnipeg eighteen years (30979-82); output of beer steadily increased; sold in North-west and Manitoba (30983-024); permit system beneficial to brewing (31003, 31027); license law increased sales; permits abused (31031-33); license law in Winnipeg well observed (31006-7); regulation of traffic desirable (31036, 31047); high license produces illicit selling; restaurants necessary (31017-21); favours compensation (31022); anti prohibition (31061-70).
- DRUMMOND, HENRY M., of Winnipeg, Assistant Receiver General. . . . . Page **94**  
 Resident twenty years; Dominion Auditor; manager Dominion Savings Bank (32039-40); favours compensation (32050-53).
- DYKES, ANDREW, of Winnipeg, Tea Merchant. . . . . Page **117**  
 Resident ten years (32405); local option in Melrose, Manitoba, works well; liquor for private use obtainable; illicit selling and fancy houses stopped (32410-33); difficulties of license law (32436); unsuccessful in Winnipeg (32499-501); law not enforced (32438, 32474-80); favours prohibition: untrammelled sale preferable to license (32439-42, 32511); anti compensation (32443-7); liquor trade injures business; depreciates property; increases insurance (32487-97); prohibition desirable; revenue maintainable (32504-6; 32512-15).
- FERRE, MARTIN, of Winnipeg, Importer and Compounder of Wines. . . . . Page **142**  
 Compounds liqueurs and light wines, not gin; tonics; innocuous in small quantities; hurtful in large, like natural wines (32908a).

- GAULT, GEORGE F.**, of Winnipeg, Wholesale Merchant.....Page **121**  
 Holds wholesale liquor license, resident eleven years, social habits improving (32520-6); Dunkin and Scott Acts do not interfere with liquor traffic (32532-4); create bitter feelings; liquor for private use (32564; 32593-4). Prohibition in the North-west led to excess; liquor abused (32566-70); permit system good at first; sales larger now, liquor now held in stock (32571-88); anti prohibition; impracticable (32540-2; 32595-6); license preferable to prohibition (32580). Licensees observe law; would sell illicitly under prohibition (32589-90; 32628); favours compensation (32542); favours heavy duty on spirits; high license; restriction of numbers and suppression of illicit sale (32543-59); favours Government asylums for inebriates (32597-603); plebiscite vote insignificant (32604).
- GRABURNE, C. H.**, Clerk of Executive Council of Province of Manitoba.. Page **142**  
 Returns of plebiscite; real desire for prohibition (32909-12); prohibition beneficial, practicable, necessary to civilization, must come quickly (32913-14); favours compensation (32917); license law not enforced, defective (32920-6); license preferable to untrammelled sale (32023-5).
- KENRICK, EDWARD B.**, Public Analyst, of Winnipeg.....Page **144**  
 Lecturer on Chemistry in University of Manitoba; made analyses of spirits and beers; found no harmful ingredients, high standard of alcohol (32931-43); frequent analyses of liquor, as sold, desirable (32945-7).
- KILLAM, HON. ALBERT C.**, of Winnipeg, Judge of the Court of Queen's Bench, Province of Manitoba.....Page **145**  
 Resident fourteen years, on Bench seven years; drinking decreased (32948-52); Favours restraint for persistent drunks (32963; 32975); Yarmouth, N.S., no licenses issued, illicit sale (32964-67); liquor obtainable in Maine (32968); and in Colchester and Essex under Dunkin Act, and in the North-west Territory (32970-71); prohibition difficult, enforcement dependent upon public sentiment (32972); non-enforced law demoralizing; plebiscite vote test of public sentiment (32976-7); favours compensation (32973).
- LAWLER, PATRICK**, of Winnipeg, Governor of Eastern District of Manitoba Jail.....Page **87**  
 Resident twelve years (31878); crime and liquor (31887-92; 31908-9); trade decreased (31894-6).
- LEACOCK, E. P.**, of St. Boniface, C. P. R. Agent at Winnipeg.....Page **47**  
 Resident fourteen years, formerly member of Legislative Assembly and Magistrate (31285-7); prepared license law adopted by present Government; Act spoiled by licensed victuallers' amendments; not enforced; prosecutions quashed; convictions annulled (31285-300); plebiscite vote no test of prohibition sentiment (31293-5); Manitoba not ready for prohibitory law (31304-31); vested interests must be protected (31308); prohibition in the North-west Territories failed; more drinking then, than at present (31310-19); hotel-keepers best inspectors (31320).
- LENAN, D. F.**, of Winnipeg, Hotel-keeper.....Page **46**  
 Resident ten years (31280); license law undergone many changes; content with present hour restrictions (31281-4).
- McARTHUR, DUNCAN**, of Winnipeg, Banker.....Page **111**  
 Resident twenty years; social customs changed beneficially; drinking prevalent (1) examples of churches and Lieutenant-Governors (2); liquor trade injurious; cost dead loss (3); license fairly observed; illicit sale exists; persistent drunkards require Government care (4-7); prohibition practicable; favours compensation (8-10).



- McCALL, EBENEZER**, Superintendent of Indian Affairs.....Page **10**  
 Duties in district (30615-22); Indians prohibited from liquor; drinking at time of treaty payments; liquor supplied by disreputable men (30626-8); intoxicated Indians severely punished (30630); law enforced (30631-6); effects of prohibition will show in next generation (30649-51).
- McDONALD, ALEXANDER**, Mayor of Winnipeg.....Page **51**  
 Resident twenty-one years; Chairman of Police Commissioners; wholesale grocer (31332-41); drinking habits unchanged (31345-9); mode of obtaining license (31353-4); observance of law improving (31355, 31405-7); Sunday selling exists (31355-6); minors not supplied (31357-8); grocery and liquor stores must be separate (31359); favours high license with inspection (31359-64); permit system produced drinking, not enforced; permits loosely issued (31384-5, 31409-10); favours national prohibition; practicable (31386-9, 31420); favours compensation (31404); plebiscite vote expressed public sentiment (31414-15); Scott Act unsatisfactory (31426-9, 31423); liquor adverse to wage-earners (31437-41).
- McLENNAN, J. K.**, of Winnipeg, Grain Merchant.....Page **147**  
 Resident four years; license act not observed, antilicense (32988-90); wants prohibition; favours high license with inspection, rather than untrammelled sale (32993-33000); prohibition practicable (33019); illicit sale preferable to licensed taverns (33007-9, 33020-21); disorder under license in Carman (33010-14, 33026-35); anti compensation, prohibition beneficial to business (33015-18).
- McRAE, J. C.** Chief Constable of the City of Winnipeg.....Page **6**  
 Resident since 1881, Chief Constable since 1887, no special duties under license; quiet drunks unmolested; no police inspection under license (30539-50, 30580-1); houses watched under special instructions (30578-9, 30585-92); minors and Indians obtain liquor (30554-7); hotels preferable to restaurants (30559; 30605); law practicable (30598); crime and liquor (30576-7); favours compensation (30610-14).
- MULOCK, WILLIAM R.**, Q.C. of Winnipeg. President Prohibition League of Manitoba.....Page **128**  
 Resident ten years; use of wine decreasing (32633-9); license law disregarded; Sunday sales; minors supplied; lack of officers for enforcement (32640-54, 32723, 32733-7); Government decline enforcement; relations with city strained (32653-60, 32680-5); anti license; prohibition practicable (32655-67, 32678-80, 32694, 32708); liquor commercially injurious (32696-99, 32751); anti compensation (32663-5); plebiscite vote expressed public sentiment (32668-76).
- NIXON, EDWARD BARNETT**, of Winnipeg, Hudson Bay Company's Manager  
 Page **18**  
 Resident since 1882 (30738); Company sell liquor (30748-51); liquor sold in Territories under permit (30760, 30785-8); Sunday prohibition observed (30745, 30790); drinking not increasing (30791); favours limitation of licenses (30793-6); smuggling under prohibition (30770-79); liquor under Dunkin Act in Richmond, P.Q., (30831-6); prohibition impracticable in Manitoba; would injure trade (30818-30).
- NIXON, THOMAS**, of Winnipeg, Right-of-way Agent, C. P. R.....Page **37**  
 Resident eighteen years (31076-80); license law disregarded (31081); anti license; license preferable to untrammelled traffic (31091-5, 31261-2); favours prohibition; practicable (32096-108); illicit stills exist (31110-20); anti compensation (31110); liquor trade injurious to business (31111-17); Would confine habitual drunkards (31122-8); prohibition effective in Pasadena, Cal. (31129-37); restaurants preferable to hotels (31164-7); Maine law well enforced (31168-75); plebiscite vote fair test (31200); Methodist Church and liquor dealers (31263-6); licensees mostly ruined by their trade (31268-70).



ORTON, GEORGE, M.D., of Winnipeg, Medical Inspector of Indians.....Page **77**

Member of Parliament fourteen years (31750); license law effective (31740-2); favours rigid license with enforced restrictions (31773-79, 31809); present prohibitive clauses not enforced (31781-2, 31853-4); permit system in N.W.T. continuously infringed (31743-53, 31759-844); prohibition impracticable, popular sentiment opposed (31751, 31765, 31814); favours compensation (31752); plebiscite vote no criterion (31766-7, 31786; enforced prohibition on Indian reserves, beneficial, violated (31792-803); abstinence incompatible with the best health (31815-30); Scott Act in Ontario unsuccessful, in Manitoba dead letter (31768-70, 31864-5).

PEEBLES, ADAM JOHN LANE, of Winnipeg, Police Magistrate .....Page **2**

Resident in Winnipeg since 1870 (30436-7); tries cases from country districts, takes preliminary examinations in criminal cases, charges of drunkenness and disorder (30440-4); small number of cases of drunkenness, illicit selling frequent (40445-9); favours fewer licenses; increased restrictions and abolition of restaurants (30452-4, 30513); crime and liquor (30478-94, 30509-10); sales to Indians (30528-31).

SEMMENS, REV. JOHN, of Winnipeg, President of Manitoba and North-west Methodist Conference.....Page **155**

Resident five years (33140); submits deliverance of Conference on prohibition, unanimously adopted (33144-58); anti compensation, licensing sinful; favours hotels only, with detached bars (33148-60); plebiscite vote honest representation of public opinion (33171-2); prohibition practicable (31173-4); prohibition by Hudson Bay Company in Keewatin in days of Sir George Simpson, beneficial (33162-81.)

SCHULTZ, HON. JOHN, Lieutenant-Governor of Manitoba, Winnipeg... Page **158**

Known the country since 1860; system of government then; Indians prohibited from intoxicants till 1866; license laws of 1855 and 1869; Mounted Police enforce prohibition; prohibition during railway construction; regulations of North-west Council; prohibition in Keewatin; results of Dominion prohibition enactments: secure trade with Indians: country settled and railways constructed, without crime; immunity of C.P.R. from accident due to employing non-drinkers; plebiscite vote expressed conviction; prohibition only cure for radical evil; practicable; military experience proves liquor unnecessary.

SIFTON, JOHN, W., of Winnipeg, Provincial Inspector of Asylums and Prisons. Page **94**

Resident eighteen years, formerly Member and Speaker of Lower House, Magistrate, contractor on C.P.R. (32102-4); crime and insanity and liquor (32070-5); inmates of asylum and hospitals through excessive drinking (32083-7); drinking decreasing (32088-91); plebiscite vote earnest; Scott Act in Manitoba, declared invalid on technical grounds (32094-6, 32154); prohibition practicable (32098, 32114, 32135-6); proved on C.P.R. construction (32105-8); and in California (32109-13); revenue maintainable under prohibition (32126-33); license preferable to free traffic (32160-61.)

SMALL, WILLIAM, of Winnipeg, Carpenter.....Page **102**

Resident since 1884, formerly Vice-president of Trade and Labour Council and Master Workman Knights of Labour (32207); prohibition desirable, beneficial for nation (32220-2); practicable (32223-4, 32255); anti compensation (32226-7); license sinful, preferable to free sale; stopped prohibition (32229-37); hotels worse than saloons (32237); employers, wage earners and liquor (32243, 32261-75.)

STEEN, JAMES L., of Winnipeg, President of Board of Trade . . . . . Page **57**

Resident eleven years, publisher of trade journal (31449-54); business misfortunes and liquor (31460; 31492-3); liquor and lunacy (31461-2); prohibition in Iowa a huge blunder (31466-7; 31514-16); more drunkards in Iowa than Manitoba (31466-8; 31517-20); prohibition for Dominion; unmitigated folly; impracticable (31521-8); law only partially respected, powerless (31530); prohibition class legislation (31551-3); brewing industry beneficial (31482); favours compensation (31474).

STEWART, REV. JOHN, of Trahern, Methodist Minister . . . . . Page **106**

Resident three years (32278); Scott Act in Brome, Knowlton and Mississquoi enforced (32283-4), Methodist Church favours prohibition; men in traffic debarred church privileges (32290-6); deaths from adulteration (32304-6); prohibition voted in South Norfolk; upset through technicality (32311-19; 32327; 32332); license preferable to free sale (32308); plebiscite vote dead earnest (32329-33) anti compensation (32310); crime and liquor (32341).

THOMPSON, FREDERICK W., of Winnipeg, Manager Ogilvie Flour Mills. Page **113**

Resident ten years (32345); compels sobriety in employees (32352-5; 32366-75); Dunkin Act in Mississquoi inoperative, a farce (32359-60; 32377-80); favours compensation (32362); liquor different from other industries (32392-404).

TUPPER, RICHARD LATOUCHE, of Selkirk, Man., Dominion Fishery Officer, Page **22**

Resident in Winnipeg since 1878; Chief Inspector under the McCarthy Act; author of Manitoba Act; McCarthy Act beneficial (30841-49; 30969-70) habitual drunkards should be treated as lunatics (30862-6); drinking decreasing (30870-82); hotels preferable to restaurants (30873-8); prohibition in Iowa a failure (30884-9); fines instead of license (30943-50); permit system in North-west a failure; compounds used (30959-61; 30890-6); prohibitory law impracticable (30897-30958); favours compensation (30899); objects of Provincial law (30900-21); indiscriminate sale evil (30905); smuggling in Territories during rebellion (30894); local option ill-advised (30971-2).

## BRANDON, 29th OCTOBER, 1892.

BOISSEAU, ALFRED S., of Brandon, Hotel-keeper . . . . . Page **215**

In Brandon ten years; in Manitoba twelve years (34203-4); License Act observed (34212-15); prohibition impossible, legislation unjustifiable (34222; 34245-47); plebiscite vote a mistake (34248-50); meals do not pay hotel-keepers; liquor necessary (34226; 34240); favours compensation (34225).

CAMERON, REV. ALEXANDER H., of Brandon, Presbyterian Minister . . Page **196**

In Manitoba eleven years; two years in North-west under prohibition (33797-802). High license at Donald failure (33805-15). Illicit selling at Anthracite; immorality at Revelstoke (33818-28). Prohibition enforced at Banff (33831). Prohibition desirable, practicable and applicable (33839-41; 33853-9). Prohibition on Canadian Pacific Railway construction (33942-52). Favours compensation (33863-8).

CLEMENT, STEPHEN, of Brandon, Sheriff of Western Judicial District of Manitoba . . . . . Page **206**

Resident since 1880 (34035-7). Prohibition in North-west beneficial, a farce; excessive drinking; smuggling and adulteration (34041-52). Crime and liquor (34054-8). Asylums for inebriates (34066-7). Prohibition desirable, practicable (34069-73). Favours moderate compensation (34078-9).

- COOPER, DAVID H., of Brandon, Barrister, Manager of Freehold Loan and Savings Company.....Page **193**  
 Resident ten years, license law enforced, violations (33748-50). Prohibition enforceable; anti compensation (33756-7). Liquor injurious to business (33758-68).
- DANIELS, REV. S., of Brandon, Methodist Minister.....Page **188**  
 Favours total prohibition (33636-8); for Dominion, not Province (33639). Enforcement dependent on public sentiment (33641-4). Anti compensation (33645). Prohibition beneficial in North-west Territories; Mounted Police vigilant (33647-56).
- FERGUSON, WILLIAM of Brandon, Wholesale Liquor Dealer.....Page **199**  
 Resident ten years, license enforced in Brandon (33898-900]. Hotels depend on liquor (33949-55). Favours asylum for persistent drunks; law allows interdiction (33901-5, 33958-9). Trade in North-west wholesale under permit (33912-17). Favours universal prohibition; impossible in Manitoba; favours compensation (33938-41); would produce smuggling (33939-47).
- HESSON, FRED H., of Brandon, Collector of Customs.....Page **175**  
 Resident ten years (33374-5). Liquor traffic under prohibition in Brandon (33379-83, 33396-402). Drinking increased under license (33403-6). Prohibition impracticable; favours compensation (33393-4). License law enforced preferable (33395).
- HUGHILL, L. F., of Brandon, Journalist.....Page **189**  
 In Province twenty years (33688-70). Prohibition in North-west not enforced; smuggling; heavy drinking (33670-80, 33707-13). Extension of permit decreased smuggling (33682-6). License preferable to prohibition not enforced (33687). Favours high license and restrictions; hotels preferable to saloons (33697-8). Prohibition thoroughly enforced good, impracticable (33688-90, 33719-22). Non-enforced law evil (33694-6). Plebiscite vote no criterion (33723-38). Favours compensation (33692).
- INKSTER, COLIN, of Kildonan, Sheriff of Eastern Judicial District of Manitoba.  
 Page **91**  
 Enforced license before confederation (31977-31997). Beneficial change in public opinion (32034-7). Prohibition good if practicable; favours compensation (32024-30).
- JENKINS, REV. W. H., of Brandon, Baptist Minister.....Page **213**  
 Resident two years (34156). Scott Act enforced in Advocate, N.S. (34163-71). Favours prohibition; licensing wrong; anti compensation (34172-80). Baptist Conference deliverance (34170-1).
- JOHNSTON, WILLIAM, of Brandon, Agricultural Implement Dealer....Page **195**  
 Resident ten years (33744); more drinking under Dunkin Act in Grey, Ont., than under License; Act impracticable (33782-4, 33789-93); favours prohibition (33785-7).
- JUKES, EDWARD, of Brandon, Manager of Imperial Bank.....Page **203**  
 Resident thirteen years (33944-5); number of licenses immaterial; hotels preferable to saloons (34001-2, 34017-30); anti prohibition (34006-7); prohibition practicable if supported by public sentiment (34009, 34022-23); drink traffic evil (34053-4); favours compensation (34011); advocates asylums for confirmed inebriates (34014-16.)
- KIRCALDY, JAMES, Chief of Police of Brandon.....Page **196**  
 Resident fourteen months (33269-70); presents statistics of crimes (33271-4); advocates high license (33283-4); Less drinking in Brandon than in England (33282).



- McDIARMID, JOHN, M.D., Mayor of Brandon**.....Page **170**  
 Resident ten years (33286) ; favours high license (33295-33307) ; licensees mostly intemperate (33305) ; prohibition good ; impracticable (33298-300, 33308-15) ; benefits of liquor questionable (33302-3) ; favours compensation (33301, 33319, 33329) ; prohibition sentiment growing (33315).
- MacDONALD, JOHN A., M.D., of Brandon**.....Page **208**  
 Resident nine years ; license law observed (34088-9) ; liquors adulterated (34090-4) ; interdiction or confinement for persistent drunks (34095-6) ; prohibition impracticable unless continental law (34098-109) ; plebiscite vote for Dominion, not Provincial legislation (34144-50) ; favours compensation (34110-13) ; moderate use of alcohol not injurious (34121-3, 34127-8) ; drinking hereditary (34124, 34130).
- MacDONALD, WILLIAM A., M.P.P., of Brandon, Barrister**.....Page **178**  
 Resident ten years (33454-8) ; license law observed fairly (33461-2, 33473-4) ; Dunkin Act in Pelham, Ont., failed (33469-71, 33475-9) ; favours prohibition ; plebiscite indicated popular sentiment (33480-4) ; favours compensation (33472).
- PETERSON, A. M., of Brandon, Lawyer**.....Page **176**  
 Resident ten years ; Crown Officer for Western Judicial District four years (33407-11) ; crime and liquor (33414-19) ; license law violated (33420-8) ; difficulties with witnesses (33433-49) ; favours prohibition if practicable (33429-41) ; plebiscite vote not a criterion (33452-3) ; anti compensation (33443).
- SPENCER, RICHMOND, M.D., of Brandon**.....Page **184**  
 Resident eleven years (33561-2) ; license law observed fairly (33569-71) ; strict enforcement desirable (33585-7) ; favours restriction (33618) ; persistent drunkards deserve flogging (33572-3, 33605-13) ; favours high license ; prohibition impracticable (33575-8, 33589-95) ; drunkenness hereditary (33622-4) ; authorities favour licensees (33622-3) ; total abstainers are best men (33631) ; favours compensation (33579).
- TODD, JOHN CAMPDEN, Police Magistrate of Brandon**.....Page **164**  
 Resident eleven years (33182-3) ; adjudicates on all offences ; frequent cases of breach of license (33188-98) ; high license does not lessen drinking (33207-11, 33223-9) ; difficulties of conviction through witnesses (33230-39) ; crime and liquor (33204, 33240-4) ; prohibition only remedy ; practicable (33205-15, 33255-7) ; plebiscite vote expressed public sentiment (33252-64) ; favours compensation (33222).
- URQUHART, REV. ALEXANDER, of Brandon, Presbyterian Minister**...Page **181**  
 Resident nine years (33501) ; evil effects of liquor (33512-14) ; crime and immorality due to liquor (33559-60) ; favours prohibition for Dominion ; practicable (33520-9) ; action of Synod (33532a-39) ; permit preferable to license (33534-48) ; anti compensation (33530-33).
- WOODSWORTH, REV. JAMES, of Brandon, Methodist Minister**.....Page **202**  
 Resident ten years (33963-4) ; agrees in deliverance of Methodist General Assembly (33967-8) ; prohibition practicable (33985-7) ; anti compensation (33979-80) ; licensing sin (33973-6) ; permit system loosely administered (33988-91) ; drinking increased under license (33992) ; liquor traffic injurious in morals, religion and business (33981-2) ; responsible for crime (33983).



## REGINA, 31st OCTOBER, AND 4th OF NOVEMBER, 1892.

- ARKLE, GEORGE, of Regina, Farmer. . . . . Page **249**  
 Resident since 1888 (34814); prohibition in Iowa a fraud (34824-6); license preferable to prohibition in North-west (34827); permit system class legislation (34848-50); compounds used (34830-7); prohibition impracticable and injurious (34834-5; 34857-8; 34863-6; 34886-7); favours compensation (34836); license law violated (34869-73); liquor trade beneficial for revenue (34879-5); favours inspection (34889-91); Public Works Act beneficial (34893).
- BENSON, JAMES H., of Regina, Sheriff of Judicial District of Western Assiniboia . . . . . Page **239**  
 Resident ten years (34620-3); permit system enforced at first; liquor obtainable; smuggling and illicit sale (34629-33; 34644-81); 4 per cent beer increased drinking (34636-7; 34649-56); sentiment against police (34646-8); prohibition impracticable (34638); opposed to principle (34660-1; 34664-7; 34672-4); prohibition enforced, advantage doubtful (34684); license observed (34662-3).
- BROWN, GEORGE WILLIAM, of Regina, Law Student. . . . . Page **353**  
 Resident ten years (36873); permits rarely issued at first; smuggling existed; increase of permits, more liquor; 4 per cent beer caused free sale (36876-9); popular sympathy anti permit (36882-3; 36947-53); Mounted Police enforced law (36912-20); license increased drinking (36880-2; 36939-44); plebiscite refused (36953-6); no temperance organization in last election (36956-8); prohibition practicable (36885-6; 36889-911; 36921-29); anti compensation (36887-98).
- BROWN, JAMES, of Regina, Secretary of the Board of Education. . . . . Page **255**  
 Resident ten years (34935); drinking in Maine and Vermont under prohibition (34941-3); prohibition in North-west not enforced (34945-9; 34965-6); more sobriety under license (34952-7); anti prohibition (34958; 35007-8); favours compensation (34959); persistent drunks should be reformed (34960-4; 34974-5; 34984-6; 35009-10).
- CAMERON, DUNCAN, of Regina, Sewing Machine Agent. . . . . Page **359**  
 Resident fourteen years (36996); Scott Act success in Elgin County, Ont.. (36997-9); less drinking under permit than license (37001); permit practicable (37014; 37022); permits re-used (37007-8); Mounted Police enforce law (37024-5); informers looked upon with contempt (37030-6); favours prohibition: anti compensation (37001-6); license no improvement (37010-13); Scott Act failed in Alliston (37019).
- COLPITTS, ENOCH, of Moose Jaw, Gardener. . . . . Page **345**  
 Resident ten years (36690); permit system prohibitory at first (36701-25); drinking increased with 4 per cent beer (36707-9; 36726-29); favours prohibition; practicable in Moose Jaw (36718-26; 36736-41); Mounted Police enforced law (36747-59). Favours compensation (36734); prohibition no issue at election (36929-33); witnesses unwilling to testify in liquor cases (36761-67).
- CREAMER, JAMES, of Regina, Veterinary Surgeon. . . . . Page **340**  
 Resident six years (36561); license preferable to permit (36568); under permit smuggling existed, compounds were used, police endeavoured to enforce law (36569-83; 36591-99); prohibition impracticable (36584); unlicensed traffic injurious (36587-90); prohibition increases drinking (36612-14).

- EDDY, WILLIAM P.**, of Regina, Builder and Contractor, . . . . . Page **349**  
 Resident ten years (36790-2); Scott Act in Durham, Ont., successful, repealed as local affair (36794-804); favours prohibition, liquor traffic wrong, anti compensation (36804-12; 36839); prohibition enforced in Territories by Mounted Police; more drinking under license (36813-34); does not employ drinkers (36825-7).
- FORGET, AMÉDÉE EMANUEL**, of Regina, Assistant Indian Commissioner. . . . . Page **245**  
 Resident since 1876; prohibitory law in Territories not successful; liquor sold (34752; 34767-72); recommendations of applicant required (34773); 4 per cent beer beneficial (34774; 34799); permits increased to suppress smuggling (34794-6); increase in consumption and population proportionate (34775-80; 34797-800); license not enforced (34761-4); favours compensation (34765-6); prohibition beneficial if it could be enforced; general prohibition would not work (34784-810).
- GAGNON, SEVERE**, of Regina, Superintendent of North-west Mounted Police. . . . . Page **8**  
 Resident nineteen years (35694-99); liquor scarce at Edmonton (35701-5); drinking bouts under permit (35708-9); seizures under permit (35710-18); favours use of wines and ales (35721).
- GILLESPIE, DAVID H.**, of Regina, Livery Keeper, . . . . . Page **348**  
 Resident ten years (36768-9); license preferable to permit (36773-4; 36782); better for business (36775-7); compound drinks under permit (36778); prohibition, if enforced, good (36783-88).
- GORDON, ROBERT H.**, of Regina, Clerk of Legislative Assembly and Secretary to Lieutenant-Governor, . . . . . Page **228**  
 Resident since 1885 (34419). Permit system impracticable; issue increased with population, and to decrease smuggling (34423-30; 34463-70); permits issued by Governor on recommendation (34444-6; 34471); no second supply on same permit (34454-8); liquor sold under permit (34660-4); prohibition impracticable; proved by permit system (34432-3; 34482-3); license preferable (34437-43; 34477-81); favours compensation (34481).
- HARVEY, JAMES**, of Indian Head, Farmer, . . . . . Page **254**  
 Resident ten years (34894); prohibition successful (34898; 34903); favours prohibition (34902; 34908-10); Mounted Police enforced law (34899-900); anti compensation (34914); license increased drinking (34915-26); prefers permit to 4 per cent beer or license (34932).
- HENDERSON, WILLIAM**, of Regina, Architect and Engineer, . . . . . Page **259**  
 Resident fourteen years (35012); license expedient, prohibition preferable (35017-20); favours high license and restriction (35028-31); permit system not successful, preferable to 4 per cent beer or license (35032-4; 35040-47); favours compensation (35027).
- HONEYMAN, JOHN R. C.**, of Regina, Journalist, . . . . . Page **358**  
 Resident since 1885, formerly on Mounted Police (36983-5); police enforced permit (36986-88); faithfully patrolled the country, prevented smuggling and seized illicit stills (36993).
- JOHNSTON, THOMPSON COOK**, of Regina, Barrister, . . . . . Page **261**  
 Resident ten years (35054); Dunkin Act in York County, Ontario, in force two years, found insufficient, repealed (35058-9; 35076-85); prohibition in North-west impossible of enforcement, smuggling carried on (35060-6; 35095-103; 35119); prohibition impracticable (35062-6; 35086-93); popular sentiment

**JOHNSTON, THOMPSON COOK.—Concluded.**

anti prohibition, prefers license (35087-8 ; 35132-3) ; favours compensation (35069) ; high license and inspection (35072-3) ; license system not enforced (35107-112 ; 35120-2) ; Indians and Half-breeds prohibited under license (35139).

**KERR, JOHN H., of Regina, Hardware Merchant.....Page 351**

Resident ten years (36841) ; prefers license to permit (36846) ; smuggling under permit, compounds used (36847-51) ; prohibition impracticable in Territories (36852) ; anti prohibition (36864) ; approves prohibitory clauses in License Act (36865-9) ; favours compensation (37059) ; favours enforced high license (37064-6, 37076-8).

**KING, REV. JOHN H., Regina, Baptist Minister.....Page 336**

Resident one year, from St. John, N.B. (36480-2) ; license as bad as prohibition (36484-5) ; dissatisfaction with administration of permit system (36485-8, 36496-7 ; 36504-5) ; Mounted Police enforced law (36512-23) ; license inexpedient, restricts traffic, provides for local option (36502-3, 36536-42) ; popular sentiment favourable to prohibition (36495-501) ; Scott Act in St. John, N.B., satisfactory (36532-4).

**McNAB, WILLIAM, of Banff, Theological Student of the Presbyterian Church  
Page 459**

Prohibitionist, anti license (39028-30) ; drinking under permit ; system not enforced ; Mounted Police blamed (39031-5, 39039, 39047-51) ; license injurious (39036-8) ; people want prohibition (39040-6).

**McLEOD, REV. ANGUS J., of Regina, Presbyterian Minister.....Page 343**

In Government Indian School at Regina one and a half years, formerly at Banff and Medicine Hat (36653-64) ; agitation at Banff on liquor sales and smuggling (36666-70) ; also at Medicine Hat (36672) ; Mounted Police and smuggling (36679) ; strict prohibition necessary amongst Indians (36674-85) ; permit preferable to license (36686) ; favours prohibition ; anti compensation (36681-4).

**MOWAT, DANIEL, M.L.A., of Regina, Merchant.....Page 225**

Resident twelve years (34366-70) ; prohibitory law satisfactory till beer permits (34374-89) ; favours permit system, pending Dominion prohibition (34405-7) ; anti compensation (34381) ; prohibition practicable (34409-11) ; Legislature refused plebiscite (34412-15).

**PERRY, A. BOWEN, Superintendent of North-west Mounted Police.....page 269**

Resident ten years ; jurisdiction and duties of police (35238-42) ; prohibition good at first ; smuggling suppressed (35224-51, 35260-2) ; permits fraudulently obtained (35271) ; compounds used (35257) ; difficulties of enforcing law increased by four per cent beer (35267-8) ; law beneficial during railway construction (35263-4) ; prohibition beneficial, backed by public opinion (35272-5, 35281-2) ; prohibitory clauses of license law popular (35276-80).

**POPE, JAMES C., of Regina, Chief License Inspector, and Assistant Accountant of  
North-west Territories.....Page 232**

Resident ten years ; formerly in charge of permit system (34493-500). Deputies enforce license law (34515-19). Prohibition impracticable, else desirable (34502, 34552-5). License popular (34562). Smuggling existed under permit law (34503-11). Trouble with Indians at Prince Albert (34520-51). Scott Act impracticable in Prince Edward Island (34523-37).

Re-called. Page 242. Local option clause in licensing act useless (34695-705).

- REED, HAYTER, of Regina, Indian Agent for Manitoba, Keewatin and the North-west Territories.....Page **222**  
 Resident since 1883. Permit system successful at first (34303, 34327). Popular sentiment against law; permits loosely issued (34307-8, 34328-9, 34342-3). Smuggling and disorder under system (34344-58). License law preferable if enforced (34312-15). Prohibition impracticable; favours compensation (34316-20). Indians and prohibition (34321-6, 34353).
- RICHARDSON, HON. HUGH, of Regina, Presiding Justice of Supreme Court of North-west Territories.....Page **219**  
 Resident sixteen years (34251). Permit system satisfactory; abused latterly (34256-61, 34271-8). Liquor and crime (34279-88).
- ROYAL, HON. JOSEPH, Lieutenant-Governor of North-west Territories...Page **462**  
 Statement comprising introduction, condition on his taking office: 1. Permit law; 2. Its results; 3. Social changes; 4. Difficulties from change of circumstances; 5. Precautions adopted; 6. Public opinion asserts itself; 7. Statistics.
- SIBBALD, JOHN B., of Regina, Merchant.....Page **272**  
 Manager Western Milling Co., ten years (35287-8). Prohibition unsuccessful (35295-6). Drinking increased under license (35297-8). Compounds used (35300-402). Favours compensation (35296).
- SMITH, JACOB W., of Regina, Hardware Merchant.....Page **334**  
 Chairman License Commissioners, resident ten years (36436-40); prohibition good till 1889 (36444); then permits loosely issued; liquor brought in; police relaxed vigilance (36445-50); license law not enforced (36451-79); favours prohibition (36458-62).
- WELSH, REV. JOHN K., of Indian Head, Presbyterian Minister.....Page **265**  
 Resident two years (35144); drinking under 4 per cent beer less than under license; smuggling extensive (35154-5, 35166-79); license law not enforced (35160-61); prohibition and license law inoperative (35218-19, 35232-37); licensing absurd; prohibition desirable (35196-7, 35209); practicable (35220); anti compensation (35202).
- WILLIAM JAMES, of Regina, Police Constable.....Page **243**  
 Resident five years, formerly in Mounted Police (34707-9); prohibition good in principle; impracticable (34713-18, 34728-30, 34734-6, 34742-3); police powers of search under prohibition (34716); difficulties of enforcement (34719-25); anti compensation (34740).
- WILLIAMS, RICHARD HENRY, Mayor of Regina.....Page **333**  
 Resident ten years; ex-officio Police Magistrate (36403-7, 36414-15); presides at police court; hears license cases; drunkenness increased under license (36416-20); prefers prohibition, or enforced permit system, if practicable (36421-29); Mounted Police enforced law (36434).
- WILLOUGHBY, JOHN H. C., M.D., of Regina.....Page **329**  
 Resident ten years (36327-32); member Town Council (36334-6); permit unsatisfactory; smuggling; excessive drinking and compounds used (36337-400); authorities powerless to enforce (36372-3; 36387-8); license preferable (36336); drunkenness decreased (36369-70); favours prohibition (36387).
- WRIGHT, ALFRED H., of Regina, License Inspector,.....Page **342**  
 Resident fifteen months (36615-18); difficulties of enforcing law and with witnesses (36622-47); permit system unenforced preferable to license (36629); favours prohibition; anti compensation (36630-28).



# PRINCE ALBERT, 3rd of November, 1892.

BAKER, MISS LUCY M., of Prince Albert, Teacher.....Page **321**

Missionary teacher in Presbyterian Church schools for Sioux Indians thirteen years (36200-1 ; 36208 ; 36221). Difficulties with liquor under permit (26209-10). Rarity of drunkenness amongst Indians before license (36213-16 ; 36223-31). Favours prohibition (36225-7).

BETTS, JOHN W., M.L.A., of Prince Albert, Merchant,.....Page **311**

Resident fifteen years (36003-5) ; anti permit ; system unsatisfactory, unpopular, unenforced (36009-11 ; 36021-3 ; 36034 ; 36042-3) ; favours high license (36012) ; license enforceable better than permit (36013-15) ; license Act observed (36019) ; favours compensation (36024) ; national prohibition practicable ; favoured by popular sentiment (36044-53).

COTTON, JOHN, of Prince Albert, Superintendent North-west Mounted Police.....  
Page **323**

Resident ten years (35455-9) ; duty is to enforce permit system and prohibition to Indians (35462-6) ; smuggling under permit ; law evaded ; police obstructed ; (35468-85 ; 35500-4) ; injurious effect of Judge Rouleau's judgment (35508-9) ; witnesses' weak memories under permit system (35486-9) ; license law enforced (35497) ; precautions to prevent Indians obtaining liquor (35498-9 ; 35510).

DAVIS, THOMAS O., of Prince Albert, Merchant.....Page **323**

Resident twelve years (36232-3) ; prefers license to permit (36236-8) ; periodical drinking under permit ; smuggling existed ; compounds used (36239-44) ; favours restriction of license (36254-5) ; anti prohibition ; favours compensation (36252-3).

DONALDSON, SAMUEL JAMES, Mayor of Prince Albert.....Page **274**

Resident since 1887 (35305) ; permit system satisfactory at first ; abused finally (35313-42) ; permits unlawfully used (35317-18) ; license increases drinking in rural districts (35343-4) ; law well observed (35346-50) ; anti compensation (35338).

GUN, WILLIAM, of Prince Albert, Advocate,.....Page **326**

In Territories twelve years (36300-1) ; permit system abused (36304) ; smuggling extensive (36305-9 ; 36319) ; law generally disregarded (36324) ; favours universal prohibition ; impracticable (36310-12) ; anti compensation ; license preferable to permit ; reduced drunkenness (36314-15).

HERCHMER, LAWRENCE WILLIAM, Commissioner of North-west Mounted Police.....Page **287**

Resident thirty years ; formerly in Indian Department (35511 ; 35521-2) ; Mounted Police and smuggling (35520) ; difficulties in restraining Indians from liquor under prohibition (35523 6 ; 35566) ; law evaded to obtain liquor (35527-32 ; 35582-5) ; methods of smuggling (35533-42 ; 35586-7) ; illicit distilleries active (35539-42) ; permit system defective ; local Governor not the man to grant them (35551-4 ; 35573-80) ; license system preferable, violated (35553-5 ; 35568) ; favours one entrance only to hotels (35557-61) ; increase of drinking amongst lower classes under license (35602-4) ; police vigilant, unaided by temperance people (35571) ; public opinion anti prohibition (35590-1).

- MACLISE, WILLIAM VALLEAU, of Prince Albert, Advocate . . . . . Page **308**  
 Resident eleven years (35952-6) ; drinking decreased (35995-61) ; licenses loosely issued (35971) ; law imperfect (35971-4, 35978-82) ; permit system effectually prohibited Indians (35983) ; favours compensation (35966-9).
- MACGUIRE, HON. THOMAS HORACE, of Prince Albert, Judge of Supreme Court of N.W.T. . . . . Page **277**  
 Resident three years (35364) ; license satisfactory (35370, 35408-10) ; permit system good at first ; loose latterly (35475-6) ; difficulties from Judge Rouleau's judgment (35377) ; law not enforced injurious, especially regarding perjury ; witnesses unreliable (35389-90, 35418-26) ; favours absolute prohibition, next license (35395, 35412, 35453-56) ; prohibition not enforced in Maine (35645-6) ; crime and liquor (35385, 35399, 35401-2) ; permit system injured by 4 per cent beer (35403-7) ; illicit selling previous to license (35413-14) ; legalized trade dangerous (35428) ; license popular (35429).
- McKAY, VEN ARCHDEACON, of Prince Albert . . . . . Page **317**  
 Native (36414-15) ; permit system protected Indians (36116) ; enforcement of prohibitory law dependent on public sentiment (36125, 36129, 36131) ; drinking on Indians reserves under license (36117-18) : drunkenness increased under license (36119) ; prohibition desirable if enforced for nation, but very difficult of enforcement (36123-25, 36132-33) ; anti general compensation (36135).
- McKAY, THOMAS, M.L.A., of Prince Albert, Farmer . . . . . Page **314**  
 Native (36056-58) ; absolute prohibition in early days (36059-63) ; liquor introduced after Confederation (36068-70) ; permit system imperfect, not enforced (36071-6) ; License Act satisfactory (36079) ; favours compensation (36081-2).
- McTAGGART, JOHN, of Prince Albert, Dominion Land Agent . . . . . Page **324**  
 Resident eight years (36257-60) ; permit system unsatisfactory ; administration lax ; permits loosely issued (36262-3, 36279-83) ; licensing wrong (36267-8) ; increased drunkenness (36265, 36297) ; license or prohibition no issue at election (36285-9, 36298-9) ; favours prohibition ; anti compensation (36266-71).
- NORMAN FRANCIS, of Prince Albert, Inspector North-west Mounted Police . . . . . Page **292**  
 Resident nineteen years (35607) ; liquor for sickness only in 1877 (35609) ; corroborates Col. Herchmer and Supt. Cotton (35611-12) ; modes of smuggling (35613-20) ; little liquor on Canadian Pacific Railway construction (35685) ; license reduced illicit selling (35637, 35639-41) ; licensees best detectives (35642-6) ; Scott Act failure in St. Thomas and Yorkville, Ont. (35662-90).
- REED, JOHN L., of Prince Albert, Dominion Land Surveyor . . . . . Page **300**  
 Chairman of License Commissioners, resident twenty-one years (35783-86) ; Scott Act failure in Durham County, Ont. (35789-94, 35866-7) ; license preferable to permit (35794) ; extensive smuggling, compounds used (35797-802) ; national prohibition impracticable, favours compensation (35803-5, 35823-7, 35841-2) ; license law enforced by Mounted Police (35817-22) ; favours asylums for persistent drunks (35850-56).
- ROBERTSON, PETER, of Prince Albert, Chief Constable and License Inspector . . . . . Page **298**  
 Resident nine years (35725-7) ; has to enforce law (35734-5) ; law well observed, drunkards mostly Half-breeds, license preferable to permit (35736-41) ; less drinking than under permit (35371-3) ; recalled, page 319 ; presents statistics of arrests (36136-8).

- ROCHESTER, REV. W. M., of Prince Albert, Presbyterian Minister. . . . .Page **304**  
 Resident two years (35869); Scott Act in Carleton County, in Stormont and Cornwall a failure (35874-80); beneficial (35920); brought into contempt and repealed (35950-53); anti license (35888-9); drunkenness increased under license (35885-6; 35921; 35927-8; 25936); prohibition or license no factor in last election (35925-6; 35937; 35947-8); favours prohibition; practicable (35890-9); anti compensation (35906-7).
- STULL, JAMES P. A., Prince Albert, Clerk of Municipality. . . . .Page **316**  
 Resident since 1885 (36083-7); permit system a failure; license worse; more drinking (36990-97); city receives license fees (36098); anti license; favours prohibition; anti compensation (36104-10).
- WESTWOOD, ANDREW, of Prince Albert, Hotel Clerk. . . . .Page **319**  
 Resident eighteen years; formerly in North-west Mounted Police (36140-4); permits at first issued by police officers (36145-51); smuggling in all shapes for white men and Indians (36152-6); police endeavoured to enforce law (36186); license system observed (36180; 36197-9); drunkenness less, more observable (36181-4).

# C ALGARY, 7th of NOVEMBER, 1892.

- CAYLEY, HON. HUGH ST. QUENTIN, M. L. A., of Calgary, Chairman Executive Committee. . . . .Page **235**  
 Resident since 1884 (34567); No license at first; police endeavoured to enforce prohibition; exceptional powers ineffectual (34571-4; 34588); permit law not observed (34590-609); people demanded license (34576-9); permits given by favour (34597-602); absolute prohibition necessary (34610-11); violated law demoralizing (34616).
- COSTIGAN, JOHN R., of Calgary, Barrister. . . . .Page **398**  
 Crown Prosecutor for District of Alberta, resident since 1883 (37813-15); license preferable to permit (37816); permit difficult to enforce; popular sentiment opposed; smuggling rife; majority of liquor illicitly procured; permits fraudulently re-used; 4 per cent beer meant whisky (34818-31); witnesses' forgetfulness in liquor cases (36833-7); prohibition beneficial; impracticable; inadvisable; involves compensation (37832-40; 37856-7); hotels preferable to saloons (37841-5).
- CUTHBERT, A. ROSS, of Calgary, Inspector of North-west Mounted Police  
 Page **385**  
 Resident since 1885 (37569-72); Mounted Police had to enforce permit, tried to in face of many difficulties. Much smuggling and many seizures, small percentage seized. Permits misused. Witnesses hard to procure; no offence to lie; compounds used and illicit distilling (37573-90, 37597-600); canteen arrangements (37609-16); temptations to police constables (37617-24, 37650-1); impossible to enforce prohibition without popular support. Prohibitory clauses of licenses not carried out (37591-6); saloon licenses under permit difficult to manage (37625-30, 37647-9); permits ante-dated and handed round (37631-41); four per cent beer increased smuggling (37641-6.)  
 Recalled page 397.  
 Difficulties of convicting for selling under permit (37806); convictions of Indians and Half-breeds for having liquor (37808-12).

CUTHBERT, A. ROSS—*Continued.*

Re-called page 402.

Applications for permits referred to police officers (36909-11.)

Supplementary statement *in re* possible bribery of members of police force, and attempts thereat: convictions for "selling" *vs.* convictions for "having in possession." Results of establishing police canteens (37912).

DICK, FRANK, of Calgary, License Inspector..... Page **374**.

Formerly in lumber trade, resident in Calgary about three years, first Inspector under license (37339-43); Inspector's duties (37367-71); performed his duties honestly and faithfully, recommends front bars and no curtains (37345-7); license system preferable to permit (37344); more places selling liquor in 1884 than now (37348-53); illicit sales still going on (37372); sale became general about two years before license (37354); prohibition could be enforced if proper methods were adopted (37356-7); Mounted Police not right men to enforce prohibition (37358-68).

DOWLING, THOMAS, of Calgary, Collector of Inland Revenue..... Page **368**.

Joined police force in 1878 (37174-81); permit system diligently enforced in face of difficulties; smuggling and illicit stills put down; police powers of search (37182-99, 37205-7, 37213-7); prohibition enforced during railway construction (37208-12); less drinking under license (37218-26.)

ENGLISH, THOMAS, of Calgary, Chief of Police..... Page **370**

Chief of Police 22 months, came from Winnipeg, nothing to do with enforcement of license law (37227-35, 37257, 37265); license works better than permit; liquor sold openly under permit (37236-45, 37266-71, 37272-80); more liquor drank now; wants front bars with uncurtained windows (37246-56); sales after hours going on (37259-60); Mounted Police only look after Indians (37252-3)

HODDER, EDWARD, of Calgary..... Page **376**

Retired Merchant, resident six years (37385); favours license (37390); less drunkenness (37414-6); liquor trade bad for community (37444-54); permit system not prohibitive; rioting and disorderly conduct; liquor sold in more places than under license (37417-23, 37398-400); permits loosely given (37463-70); smuggling carried on (37406-8); compounds sold (37401-2); opposed to prohibition; could not enforce it (37409-12, 37485-90); limitations under license do not interfere with liberty of subject (37424-33, 37454-9); favours compensation (37413.)

LUCAS, ALEXANDER, of Calgary, Financial and Real Estate Agent... Page **362**

Mayor of Calgary, resident in Calgary since 1886 (37052-60); Scott Act in 1886, in force in Lambton; subsequently repealed (37061-6); prohibition in Northwest from 1886-88 unsatisfactory; liquor obtainable (37067-75, 37087); after 1888 till license, saloons ran openly (37076-80); Mounted Police did their duty (37101-5, 37135); smuggling largely carried on (37145-7); permits handed round (37170-3); more drunkenness under license (37082-4, 37106-18, 37140-2); license law satisfactory, bars should be uncurtained during prohibited hours (37090-3); more liquor places before than under license (37099-100); prosecutions under license law (37122-3); prohibition no good, permits issued too freely, smuggling went on, stubs of exhausted permits used, liquor sold under permit (37125-33, 37138-9, 37143-4, 37148-55, 37163-9); Dominion prohibition might be enforced (37097-8); but doubtful (37134-6); prohibition not popular (37156-7.)



- MARSH, GEORGE**, of Calgary, Real Estate Agent.....Page **404**  
 Resident since 1883 : railway agent for Canadian Pacific Railway from Wolseley to Calgary, 500 miles; came from the United States (37913-8); prefers license to permit (37920-2); drinking about same under both systems; smuggling under permit; some liquor seized, more got through, compound liquors largely used (37920-39, 37963-75); favours prohibition that will prohibit, impracticable (37940-6, 37985-90); favours compensation (37947); would remove all restrictions on traffic but high license; advocates "gold cure" for habitual inebriates as part of system (37952-3, 37955-7); would imprison licensees selling to minors (37954, 37961); liquor obtainable day and night under license (37962-8); police vigilant; some venal, bribery active, attempt at prohibition farcical (37976-7, 37992, 38012); prohibition breeds criminals (38013-4).
- NOLAN, PATRICK J., JR.**, of Calgary, Barrister.....Page **408**  
 Resident in Territories three years (38015); prefers license to permit; decrease in crime and drinking under license (38017-20, 38053); illicit selling under permit, licenses for temperance drinks used for liquor traffic, blackmailing carried on (38020-5, 38029-45, 38049-55); would compensate for plant (38026); wholesale and retail places should have some degree of restriction (38027-8).
- ROULEAU, HON. CHARLES B.**, of Calgary, Justice of the Supreme Court of the North-west Territories.....Page **380**  
 Came to Calgary in 1885; in Territories nine years (37491-3); license works tolerably well (37495); system preferable; regulates and restricts traffic (37551); saloon licenses under permit only allowed temperance drinks; prosecutions for having liquor in possession (37543-50); permit well observed at first; illicit importation grew (37499, 37536-42); illicit sales before license (37507-11); his decision that liquor brought in under permit was covered by permit even if in possession of other than holder of permit (37501-6, 37521-2, 37529-32, 37556-7); Mounted Police honestly tried to enforce prohibition (37514-9); permit system class prohibition (37553-5); advocates "gold cure" for persistent inebriates (37512-3, 37558-9); violated law has evil effects: prohibitory law unpopular (37520); prohibition good; cannot be enforced; those in trade should receive compensation (37523); would encourage use of light wines (37525-6, 37561-5, 37567-8); prohibition failed in Vermont (37528); serious crimes not attributable to liquor (37566).
- SIFTON, ARTHUR**, of Calgary, Barrister.....Page **390**  
 Town Solicitor, resident since 1885 in Territories (37653-61). License law defective, amendments wanted, restaurants unnecessary; hotel bars more harmful than saloons, both objectionable (37662-75). Prohibition desirable and practicable; rural sentiment strongly prohibition (37676-704, 37768-70). Prohibition or license not question at election (37705-15, 37750-64, 37796-805). Favours partial compensation (37716-8). Drunkenness increased under license (37719-31). License law enforced; difficulty of proving violations (37733-40). Mounted Police and prohibitory law, officers drank; liquor circulated under permit (37744-9). Prohibition in Pasadena, and Riverside successful (37771-95).
- WALKER, JAMES**, of Calgary, Lumber Merchant.....Page **372**  
 Chairman of License Commissioners, resident in Calgary twelve years; Mounted Policeman in 1872 (37281-6, 37314-20). Mounted Police duties with Indians in early days; Hudson Bay Company sold to Indians or nobody; not much smuggling (37287-311). More liquor used now (37333-4). Four per cent beer made permit dead letter; all sorts of liquor sold (37331-2). Prohibition enforced would be good, illicit sale chief difficulty (37335-8).

- WILLIAMS, MILTON**, of Gleichen, Farmer.....Page **400**  
 Resident in Territories ten years; nearest neighbour smuggler before license; information laid, no conviction; 4 per cent beer did not affect him (37864-904). Sentiment of community, prohibition; could be enforced (37905-6). Favours compensation (37907).

### FORT MACLEOD, 9th of NOVEMBER, 1892.

- ALLEN, WILLIAM COX, M.D.**, of Fort Macleod, Collector of Customs and of Inland Revenue.....Page **411**  
 Resident six years (38056). Liquor passed under license (38058-62). Extensive smuggling under permit (38063-8, 38078-80). Mounted Police faithfully vigilant (38069-70, 38081). Prohibition impracticable (38071, 38086-8); desirable if practicable (38085); license preferable to permit (38072-4); permit system no prohibition (38082-3); anti compensation (38075).
- EVANS, ROBERT**, of Fort Macleod, Veterinary Surgeon.....Page **415**.  
 Revenue inspector, resident three years (38138-40); prefers license to permit (38144, 38156); present law violated (38167-70); Difficulties under permit; people indifferent, witnesses would tell nothing; smuggling carried on (38145-50, 38159-63); saloons before license (38171-77); prohibition impracticable (38152-4, 38158); favours compensation (38155); prohibition if practicable desirable (38157); Scott Act in Simcoe and Dufferin (38164); license satisfactory in Boulton, Ont. (38165-6).
- GAVIN, REV. HAMILTON**, of Fort Macleod.....Page **420**  
 Presbyterian minister, resident one year (38247-50); liquor openly sold before license (38251-8; 38267); Scott Act beneficial in Colchester, well enforced (38259-61; 38268-69); favours prohibition, licensing wrong, against compensation (38262-4).
- HILTON, REV. DONALD**, of Fort Macleod, Clerk in Holy Orders.....Page **412**  
 Church of England, resident fourteen years (38089-91); prefers license to permit (38092); immigrants not opposed to prohibition (38095-8); favours prohibition if practicable (38099-38100, 38106-7, 38115-6); illicit importation and open sale under permit (38093, 38102-5); evil effects of liquor (38108-13); moderate, introductory to excessive, drinking (38114); danger of liquor to Indians (38117-9).
- HOLLIES, JOHN**, of Fort Macleod, Hotel-keeper.....Page **422**  
 Resident in Ontario seventeen years, at Macleod four years (38270-2); prohibition in force, liquor obtained from traders; smuggling increased with white population; open sale before license (38270-307); police endeavoured to perform duties, lacked popular support; law considered unjust; difficult country to guard (38309-29); prohibition impracticable (38308, 38371-2); not an election issue (38330-3); trade under license; less drinking; law observed (38334-68); excessive drinking unchecked by law (38369-70); license popular (38375-9); hotels depend on liquor for profit (38393-406).
- KENNEDY, GEORGE ALLAN, M.D.**, of Fort Macleod.....Page **419**  
 Resident fourteen years, formerly surgeon to police at different posts (38226-8); prefers license to permit (38230); permit never properly enforced; occasional hardships: liquor for medicine frequently unobtainable; smuggling (38231-7; 38242-6); more drunkenness under license (38238-39); fewer engaged in traffic (38240-1); favours compensation (38243-4).

- MacLEOD, HON. JAMES FARQUHARSON**, of Fort Macleod, Justice of Supreme Court of North-west Territories.....Page **416**  
 Resident since 1874; in command of Mounted Police at Cypress Hills from 1876-1889. On bench five years; as Assistant Commissioner first officer with force (38178-38186); police charged with enforcing prohibition; had been considerable drinking among Indians; first idea to suppress that; afterwards smuggling began; difficult to suppress (38186-95); cases before him as Judge reveal difficulties of obtaining evidence for prosecutions, and much perjury (38196-9, 38207, 38211-5); liquor and crime (38217); license preferable to permit (38200-1); bad effect of violated law (38207); permit system really license, smuggling under it (38202-6); objects to principle of prohibition, would require very large majority of supporters to justify such enactment (38208-15); with small majority illicit traders would carry prohibition for own ends (38219-24).
- PATRICK, W. H.**, of Fort Macleod, Rancher.....Page **428**  
 Resident sixteen years, came from Manitoba, rancher and farmer (38407-14); no law at first; prohibition and Mounted Police came together; police honestly endeavoured to enforce law, smuggling existed; police hampered by extent of country; popular sentiment against law (38415-44); prohibition in Territories impracticable; license preferable (38445-9); liquor selling to Indians (38450-8).
- WRIGLEY, JOSEPH H.**, of Fort Macleod, Advocate.....Page **414**  
 Resident in Territories two years (38120-4); license preferable to permit (38125); smuggling under permit, compounds used (38126-7, 38130-1); prohibition impracticable, opposed to principle (38128-9, 38133-7).

## BANFF, 12th NOVEMBER, 1892.

- BRETT, JAMES**, of Banff.....Page **448**  
 Formerly of Winnipeg, resident three years (38829-32); permit system injurious, smuggling rife, compounds used (38843-6, 38831-2); license system worse than in Ontario (38841-2); prohibitionist, opposed to license principle (38836-40, 38847-49).
- BRETT, ROBERT GEORGE, M.D.**, of Banff.....Page **451**  
 Member of Legislative Assembly for Banff, resident since 1884; Chief surgeon of C.P.R. during construction (38887-94); smuggling under permit; Mounted Police endeavoured to suppress it (38893-908, 38963-4, 39014); permit placed recommending representatives in wrong position (38914-5, 38941-3); permit unpopular (38932-3); license preferable to permit (38909, 38960-81); less drinking under license (38981-2); law popular, capable of enforcement (38910-13, 38916-7, 38974-7); capable of amendment (38965); sales under permits (38944-6, 39010-13); fees for permits went to Territorial Revenue (38947-9); permit or license not an election issue (38949-53, 38978-90, 38995-39009); governor acted on popular feeling (38954-9); favours national prohibition (38918-31); would require large majority to be practicable (38933-8); favours compensation (38939-40); sanitarium special license (38988-93); Rocky Mountain Park requires special legislation (39015-24).



**CONNORS, THOMAS, of Banff, Wholesale Liquor Merchant.....Page 444**

Resident six years (38714-7); license preferable to permit (38718-9); smuggling and illicit trade under permit (38720-6, 38736-48, 38763-9, 38773-7, 38825-7); compounds used (38778-92); police did their duty (38773); four per cent beer covered everything (38793-6); sales under permits for medicinal purposes, stubs used (38798-808); prohibition impracticable (38734-5, 38797); opposed to principle (38819); people would have liquor (38767-70); license law observed (38750-66, 38820-4); less drinking (38771-2); sells less under license (38809-18).

**FERGUSON, JOHN JAMES, of Banff, Hardware Merchant.....Page 449**

Resident five years (38850-2); prohibitionist; opposed to license on principle (38855-61, 38868, 38872-5, 38882-5); anti compensation (38870-1); present licensees formerly illicit traders (38862-3); license law indicates public sentiment (38880-1); more drunkenness under permit (38865); temperance influence beneficial (38867, 38876-79).

**HARPER, FRANK, of Banff, Inspector of North-west Mounted Police...Page 430**

Resident thirteen years (38459-61); police faithfully tried to enforce prohibition, popular sentiment inimical; smuggling extensive, seizures frequent, compounds used, domiciliary visits (38463-86, 38572-4); permit system worked badly, difficult to secure conviction, perjury common, law unpopular; effects of law evil (38488-95, 38509-24, 38540-2, 38558-70); four per cent beer increased difficulties (38543-4); prohibition good if practicable (38496); immigrants prefer license (38497-9); license law excellent, lacks enforcing; main features observed; drinking increased (38500-8, 38522-39, 38545-8).

**STEWART, GEORGE A., of Banff, Superintendent of Rocky Mountain Park,****Page 436**

Resident twelve years, magistrate, (38575-85); smuggling and rioting before license (38586-98); disgusted with permit, license worse (38600-2); park under special Act, cases under it (38603-20); permits too freely issued, liquor sold, law practicable and desirable in park; 4 per cent beer increased drunkenness (38621-9; 38634-42); more liquor under license (38630-1); prohibition impracticable, license practicable, not enforced (38635-40).

**WHITE, DAVID, of Banff, Section Foreman of Canadian Pacific Railway..Page 440**

In Banff three years, (38643-5); smuggling from British Columbia on trains, methods employed (38646-56, 38661-3, 38677a-84); prohibitionist; license law sinful (38657.60); liquor detrimental to labour (38662-77, 38685-713).

**VICTORIA, 17th and 18th of NOVEMBER, 1892.****BEAVEN, ROBERT, Mayor of Victoria.....Page 469**

Member for city in Provincial Legislature; resident in British Columbia thirty years, in Victoria since 1886, (39057-61); license law in force all along (39062); people sober and law-abiding (39070); member of licensing court (38073-7); how constituted (39141-2); old liquor licenses (39083-5); retail, bottle and wholesale licenses, income therefrom (39085-107, 39162); number lessened (39166-70); difficult to obtain licenses, mode of procedure, restrictions, billiard licenses (39108-22, 39171-5); Chinese weaknesses, opium and gambling (39132-5); old and new license laws compared (39143-57, 39176); law observed (39160-1); prohibition difficult to enforce (39177-181).



- BEGBIE, SIR MATTHEW BAILLIE**, of Victoria.....Page **494**  
 Chief Justice of Supreme Court of British Columbia twenty years, previously Judge on Mainland (39609-12); pestered with whisky in North-west in 1885, under prohibition whisky bad but plentiful; Mounted Police had it; Indians must be prohibited (39614-27, 39654-72, 39723-5); prohibition impracticable there (39631); liquor in Alaska (39627-30); infringed laws injurious (39634, 39660); Population in Constantinople and Stamboul under religious prohibition, dangerous and criminal at night (39636, *also letter, page* 502, 39686-9); British Columbia law-abiding (39636); favours compensation (39637-9); drinking less than formerly, still excessive in some cases (39645-53); men who drink superior, intellectually, morally, physically (39690-4, 39726-33, *also letter page* 502); restriction on traffic wise (39695-707); license regulates traffic (39714-21); anti prohibition (39710-4, 39722).
- BELYEA, ARTHUR L.**, of Victoria, Barrister-at-Law.....Page **542**  
 Resident four years, formerly of Fredericton, N.B. (40545-8); formerly Police Magistrate (40562); Inspector for County of York under McCarthy Act, clashes with Scott Act, latter not enforced; public sentiment weak, law violated; litigation blameable (40549-60); license enforced fairly, few violations, law harmonizes with public opinion (40561-66); prohibition preferable, impracticable, owing to present condition of public sentiment (40567-81).
- CAMPLELL, REV. JOHN**, of Victoria.....Page **537**  
 Presbyterian Minister, resident five months, formerly of Collingwood, Simcoe County, Ontario (40458-60); anti liquor traffic; licensing wrong; injures community; partaking of liquor wrong (40467-71, 40514-17); prohibitionist system practicable; favourable sentiment growing; anti compensation (40472-5, 40482-3, 40503-10, 40518-21); Scott Act in Simcoe and Wellington disappointing in operation (40476-81, 40511-13); better on return of license (40490); license preferable to untrammelled traffic (40497-8); prohibitory law requires support of public sentiment (40498-502).
- CHOQUETTE, ALEXANDER**, of Fort Wrangell, Alaska, U.S.A.....Page **529**  
 Trader, resident in Fort Wrangell five years, formerly of British Columbia and California (40224-9); prohibition in Alaska dead letter, liquor openly sold, given to Indians; United States marshal's efforts to suppress traffic; Indians distill liquor, smuggling (40230-98).
- COOMBES, REV. J. E.**, of Victoria.....Page **547**  
 Baptist Minister in British Columbia two weeks; from Tacoma, Washington Territory (40636-39); local option at Upper Alton, Ill., fighting "same old devil over and over again;" one town can "jug" a county; "bunches" revenue, not expense (40642-4); license in Washington State on side of liquor men; gives monopoly to debauch people (40646-51); prohibition desirable; practicable; successful in Maine and Kansas; though violations occur (40655-73, 40678-93); anti compensation (40674-77).
- DAVIES, JOSHUA**, of Victoria, Auctioneer and Commission Merchant...Page **509**  
 Resident since 1860, came from California (39860-1); license fairly satisfactory, advocates open sale, and high license, and inspection (39877, 39886-912); opposed to prohibition on principle, impracticable, would induce smuggling, expensive to enforce (39881-5, 39914-20).
- DELLSMITH, C.**, of Victoria, Journalist.....Page **550**  
 Resident two years, connected with *Colonist* (40694-5); Sunday closing induces drinking, creates sneaks; failure in Toronto; night trade (40702-5); favours license; law prohibiting sale to drunkards violated (40706-11); prohibition would be impracticable; would promote smuggling; anti compensation (40712-6, 40720-6).

DOWLER, WELLINGTON J., of Victoria, Clerk of the Municipal Council  
Page **476**

Resident twelve years, Clerk of Police Court (39182-5, 39207); clerk of licensing court (39187); sales to Indians, witnesses' wretched memories; Chinese law breakers, drunkards numerous (39189-95); advocates asylums for habitual inebriates (39196-7, 39218); prohibition difficult to enforce, would be injurious (39200, 39225-8); more drunkenness than Toronto (39201-2); sailor offenders (39203-5); large proportion of charges due to liquor (39208-17); drunkenness and population increasing (39219-22).

HALL, ERNEST, M.D., of Victoria.....Page **506**

Resident two years, (39792-3); Scott Act in Halton lessened drinking, beneficial, repealed (39797-801, 39815-9); prohibition desirable, practicable, economical; anti compensation (39802-8, 39830, 39850-8); license law not enforced, illicit sale, spasmodic efforts at enforcement, houses of ill-fame sell (39809-14, 39845-9, 39854); abstainers best men, moderate drinking decidedly injurious (39820-6, 39831-44); danger of hereditary idiocy (39827-9).

HALL, LEWIS, of Victoria, Dentist.....Page **544**

Resident since 1886; Grand Secretary Independent Order of Good Templars; prohibitionist (40582, 40590, 40600); liquor poison; should be guarded as poison; anti license (40580, 40591-3); Scott act successful in Oakville, Halton County, Ontario, in 1889 (40594-6); anti compensation (40598); strong prohibition sentiment in British Columbia (40599); money spent in liquor if spent in other direction beneficial; crime, disorder and all unlawfulness arising from liquor; and majority of deaths (40602, 40611); prohibition practicable with proper officers and provisions (40612-40635).

HALL, ROBERT H., M.P.P., of Victoria.....Page **489**

Resident twenty years; lived at Fort Simpson, Fort St. Thomas, Fort St. George, Vancouver, and been in Alaska; manager for Hudson Bay Company; Company holds wholesale license (39478-94); no license, but liquor at Fort Simpson, floating population, fishermen and Indians, whites and Indians drink; Company had license but withdrew it; more drinking after; liquor smuggled (39497-500, 39533-8); prohibition in Alaska complete failure; drinking at Juneau and Sitka, smuggled liquor openly sold. Indians manufacture liquor (39501-19, 39539-47, 39573-602); impracticable law weakens justice (39553-4); prohibition in British Columbia impracticable (39520-1, 39558-62); favours compensation (39522); law observed in Victoria (39495-6, 39523-32).

HOUGHTON, THOMAS, of Victoria, Dry Goods Merchant.....Page **519**

Resident sixteen years (40065-7); favours prohibition, opposed to license, but better than untrammelled sale; favours compensation (40076-40093); temperance people pay best (40094-9).

HUMBER, MORRIS, of Victoria, Builder and Contractor.....Page **485**

Resident thirty years, member City Council, Chairman Police Committee (39394-400); liquor and labour, respectable drinkers, little drunkenness (39402-26, 39450-7); license law broken, illicit trading (39433-9); favours high license (39440-1, 39445-8, 39458-9); prohibition beneficial (39427-9, 39449); favours compensation (39472-7); frequenters of low dives (39442-4).

LANGLEY, JOHN M., of Victoria.....Page **534**

Sergeant of Government Police for Province since 1889, born in Province (40365-8); police duties, enforce criminal and liquor laws, detective force (40369-78); license law works well, bona fide traveller causes trouble, convictions quashed, favours license system, illicit stills (40380-95, 40399-404); drinking amongst Indians; they make liquor (40405-8); anti prohibition impracticable (40396-8).

- McCRAE, FARQUHAR**, of Victoria, Police Magistrate.....Page **481**  
 Resident fourteen months, magistrate six months, barrister, came from New Zealand (39326-30); license in New Zealand, distilleries suppressed, compensation given, beer drank, temperance growing, crime attributable to liquor, tendency to restrict traffic (39331-2, 39352, 39358-86, 39392-3); hears charges and summary trials (39333-5); drunkenness, cases due to drink, Indian inebriates (39342-51); opposes all night selling (39352-3); advocates inebriate asylums (39354-5); favours compensation (39387-91).
- McMILLAN, JAMES E.**, of Victoria, High Sheriff of the County of Victoria  
 Page **505**  
 Sheriff eight years (39762); license law well observed (39767-72); prohibition desirable, practicable (39773-9, 39784-88); crime attributable to liquor (39789-91).
- MOOK, NG.**, of Victoria.....Page **536**  
 Manager Chin Chong Company of merchants, resident about eighteen years, from Canton, China (40417-22); Chinese in Victoria hold wholesale licenses, sell Chinese wine made from rice, called cortin, sober people (40423-57).
- RICHARDS, HON. ALBERT NORTON, Q.C.**, of Victoria, Barrister-at-Law. Page **503**  
 Barrister and Queen's Counsel of Ontario, resident from 1875 to 1881, returned 1884, formerly Police Magistrate (39735-7, 39748); Scott Act beneficial in Brockville in 1881-2, afterwards repealed (39738-44); favours compensation (39751-3): prohibition right in principal, opposes it as unfair to those who wish to drink (39754-61); crime committed through liquor (39755).
- SAUER, GREGORY CLEMENT**, of Victoria.....Page **516**  
 President of Licensed Victuallers' Association, hotel-keeper, resident ten years, from California, (40000-3); holds old license (40008); license law observed, favours inspection, use of light wines increasing (40009-15, 40021); anti prohibition, impracticable, favours compensation (40022-4, 40059-61); licensees associated for protection, and enforcing law (40032-58).
- SHAKESPEARE, NOAH**, of Victoria.....Page **531**  
 Postmaster, resident since 1862 (40299-300); License Commissioner (40338); license law works all right, licensing wrong, better than untrammelled sale, law not local option, illicit sale, perpetual licenses, favours annual application for license, Chinese brandy (40302-6, 40310-28, 40339-64); prohibitionist popular sentiment against prohibition, becoming more favourable, prohibition could be enforced, favours compensation (40307-8, 40329-37, 40360-2).
- SHEPHERD, HENRY WILLIAM**, of Victoria, Superintendent of City Police  
 Page **478**  
 Resident thirty years, Superintendent four years, police appointed by city authorities, their duties (39231-43); license law well observed, citizens quiet and orderly, sailors, and Chinese and liquor (39244-58, 39305-18); houses of ill-fame sell liquor (39270-3); drinking and population increased (39300-1); would license places with full accommodation only (39249); advocates inebriate asylums (39259-60); prohibition inadvisable, but practicable, smuggling would exist (39264-7); favours compensation (39285-96); Chinese get Indians drink, police record, (39268-84, 39302-4); offences connected with liquor (39297-9).
- WARD, ROBERT**, of Victoria, Merchant.....Page **521**  
 Provincial Justice of Peace, resident twenty-three years, formerly License Commissioner (40100-6); license law not enforced, that in Victoria practically local option, hotels and saloons, various kinds of license, *bona fide* traveller difficulty, Chinese give Indians liquor, favours inspection (40107-34, 40162-73, 40193); favours night closing (40174-9); trade requires regulation (40180-3, 40262-6); prohibition impracticable, would induce smuggling, favours lib-



WARD, ROBERT—*Continued.*

eral compensation (40135-42, 40217-8); prohibition in North-west fair test; personal search of travellers; excessive drinking (40143-61); poverty, crime and liquor (40201).

WATSON, REV. COVERDALE, of Victoria.....Page **540**

Methodist Minister, resident five and a half years; in province eight years and a half; from Toronto (40522-5); public favour justifies licenses (40528); prohibitionist; anti compensation; growing temperance sentiment; concurs in deliverance of Provincial Conference (40529-44).

WILSON, ALEXANDER, of Victoria, Merchant.....

Resident thirty-three years (39921-3); license fee formerly \$600 now \$200; law not observed (39925-30); prohibitionist, license sin, anti compensation, prohibition could be enforced (39934-58); less drinking now than formerly (39959-60); hotels worse than saloons (39961-3); prohibition feeling growing (39964-99); crime and drink (39980-3).

## NANAIMO, 21st of NOVEMBER, 1892.

CAMPBELL, GEORGE, of Nanaimo.....Page **570**

Foreman Vancouver Coal Company since 1875 (41133-4); high license, too many saloons; fewer saloons, less liquor (41143-6); prohibition wanted (41147-50, 41179-89); by men who drink (41158-62); anti compensation (41163-4, 41167-9, 41190-3); drinking sinful (41170-78); miners and liquor, loss of time round pay day, fear of losing place lessens drinking (41151-7); money invested in breweries could be better employed (41165-6).

DRAKE, SAMUEL, of Nanaimo, Sheriff.....Page **552**

Sheriff eight years; appointed by Provincial Government; resident over fifty years (40727-31); license always in force; mixed and floating population; community orderly (40732-38); license law works satisfactorily (40739-41); Sunday closing beneficial and popular (40758-62); anti prohibition; prohibition would require an army to enforce, cause smuggling, prove impracticable (40742-50); favours compensation (40767-9); favours license but no monopoly (40777-8); crime scarce; drink and crime; sales to Indians (40779-88).

GOFF, SAMUEL, of Nanaimo.....Page **558**

City clerk of Nanaimo twelve years, resident thirty-six years; Secretary to Licensing Board (40844-9); constitution and duties of Licensing Board (40850-8); old and new licenses, law improved, Sunday drinking (40859-66, 40891-913, 40923-7); favours prohibition, license next best, preferable to free traffic; prohibition as practicable as any other law; favours compensation (40867-86); less drinking than formerly, temperance sentiment growing (40887-92, 40914); illicit selling (40915-22).

HASLEM, ANDREW, Mayor of Nanaimo, Sawmill Owner.....Page **555**

Resident eleven years; in British Columbia seventeen years (40789-93); Chairman of Board of License Commissioners (40803); community sober and orderly, foreign element (40797-802); license law well observed, no illicit selling; Sunday selling questionable; wants bar-rooms closed; city takes license fees (40803-17, 40832-5, 40837-42); drinking decreasing (40836); favours prohibition; practicability questionable; danger of smuggling (40818-26, 40843); favours compensation (40827).



- McGREGOR, WILLIAM**, of Nanaimo, Colliery Manager.....Page **566**  
 Resident in Nanaimo twenty-six years; manager six years (41039-41); large employers of labour; Sunday closing beneficial (41042-50); prohibition desirable, enforcement difficult, practicable with efficient officials; public sentiment favourable; compensation just (41051-61); would lessen number of licensed houses (41062-5); company dismiss men who drink, habits improving, drinking round pay day; allow no license places on their ground (41066-87).
- McRAE, REV. D. A.**, of Nanaimo.....Page **580**  
 Presbyterian Minister, in Province two years (41344-5); Chairman of the Central Temperance Committee (41353); Sunday closing observed, bars should be closed (41350-5); city improving, temperance spreading (41358-60); wants prohibition, meantime regulation, smuggling would exist; anti compensation (41356-75); favours limitation of hours (41376-83); Drunkards Act openly violated (41388-94); crime and liquor (41395).
- MACKENZIE, COLIN C.**, M.P.P., of Nanaimo.....Page **586**  
 Real estate and Insurance Agent in Nanaimo eight years, in Province thirty-four years (41457-60); resident in Winnipeg five years under strict prohibition; Hudson Bay Company imported rum and brandy (41461-73); favours license (41475); bar-rooms should close on Sundays (41484-5); prohibition desirable if practicable; voluntary abstinence growing (41476-80, 41494); place habitual inebriates in asylums (41481-2); favours compensation (41483); Sunday closing opposed in Legislature (41486-92); license fairly observed; illicit sale (41495-7).
- O'CONNOR, THOMAS**, Chief Constable of Nanaimo.....Page **565**  
 Chief constable eight years, appointed by Council, resident thirteen years (41008-12); city orderly, large floating population (41013-23); drunkenness slightly increasing, cause of most arrests, less drunkenness under Sunday closing (41024-32); bars should close on Sunday (41032-4); no gambling (41036-8).
- PAWSON, JOHN**, of Nanaimo.....Page **583**  
 Gentleman, in Province thirty-four years; in Nanaimo twenty-four years (41396-8); formerly licensee (41410); smuggling and illicit distilling in Alaska (41404-5); license law works satisfactorily, too many licenses issued (41406-12); prohibition objectionable, would produce smuggling and illicit distilling; favours compensation all round; drunkenness a disease; inherited sometimes (41413-56).
- PLANTA, JOSEPH**, Police Magistrate at Nanaimo.....Page **561**.  
 Justice of Peace and Stipendiary Magistrate three years; in Nanaimo seventeen years; in British Columbia, twenty years (40928-36); license law well observed; few cases arise; Sunday sales, bars should be closed; illicit selling; old licenses and new; crime scarce (40937-59, 40978-84, 40990, 41007); more liquor in private houses (40960-1); prohibition desirable; impracticable (40963-4); favours compensation (40965-9); crime and liquor (40970-4 40985-89); favours asylums for inebriates (40975-7).
- PRAEGER, EMIL ARNOLD, M.D.**, of Nanaimo.....Page **577**  
 Mine surgeon, in Province, nine years; formerly colliery surgeon for Lord Durham in England (41278-82); miners more sober than in England (41282-4, 41306); action of license law improved since Sunday closing, less drunkenness; popular (41285-7); favours license with early closing (41295-300); licensees sell to intoxicated men (41301-2); hotels preferable to saloons (41313-8); prohibition impracticable, failed in North-west Territories and United States; favours compensation (41288-91, 41303-6, 41319-43); comparison, mining communities in England and British Columbia (41292-4); moderate drinking not harmful, poison matter of quantity (41307-10).

RANDOLPH, JOSEPH, jr., of Harewood District, Nanaimo, Mine Overman.

Page **576**

Overseer three years (41249); prohibitionist on principle, licensing sin (41253-7); drinkers not employed in mines, rule beneficial, keeps men from liquor (41258-71); no saloons near mines (41271-7); licensed places more than match churches and temperance societies (41272-3).

WALKEM, WILLIAM W., M.D., of East Wellington, B.C. .... Page **576**

In Nanaimo ten years, in Province seventeen years (41194-6); License Board and law unsatisfactory; poor men crowded out; licensees observe law (41198-206) license attaches to property, should be renewed annually (41414-18); favours high license and more saloons (41233-4); prohibition impracticable, would induce smuggling and illicit traffic; education to prohibition wanted; favours compensation (41207-10, 41225-32); prohibition would benefit general health (41242); few cases caused by alcoholism (41211-3); deaths and crime due to alcohol (41219-24); abstainers best chance in illness (41235-39); desire for drink hereditary (41240, 41246); drink and insanity (41243-5).

WOLFE, MARCUS, of Nanaimo, Insurance Agent. .... Page **568.**

Resident eleven years, in British Columbia thirty years (41088-9); license law works satisfactorily; higher license, larger revenue (41093-5); prohibition would mean smuggling, would be evaded; favours compensation (41096-103); insurance company refuses liquor manufacturers and vendors, questions drinkers, drunkards not accepted; higher fire rates for hotels and houses in proximity; contradictory statements (41104-32).

## NEW WESTMINSTER, 22nd NOVEMBER, 1892.

ATKINSON, THOMAS C., of New Westminster. .... Page **594**

Police Magistrate eight years and Justice of Peace for district of New Westminster, formerly member of Licensing Board (41610-19); license law works well, few cases before him (41616-7); Sunday closing observed, no illicit selling, no sales to Indians, little drunkenness (41621-28, 41675-82); crime and liquor (41629-35, 41649-66); drinking decreasing (41636-7); prohibition impracticable; drinking under Scott Act in Halton and Cornwall; many prohibitionists from sentiment, not assist enforcement (41638-48); smuggling would exist (41667-74); no law is preferable to a violated law (41683-4); Youths' Protection and Drunkards Acts (41685-92).

BROWN, JOHN C., M.P.P., of New Westminster. .... Page **602**

Postmaster, formerly Mayor, in Province thirty years (41802-5); drinking habits changed (41808-12); prohibitionist, license law best in Province, number of saloons restricted, favours prohibition, objects to community receiving from what creates crime; prohibitory law could be enforced as well as customs (41813-35); traffic harmful (41839).

CUNNINGHAM, Mrs. MARIANNE, of New Westminster. .... Page **608**

Resident thirty years; President Woman's Christian Temperance Union, conduct mission, rescue work and fight social evil; unfortunates addicted to drink (41901-7); liquor and crime; liquor unmitigated evil (41908-11); favours prohibition direct; sentiment growing (41912-4, 41920-2); license law unsatisfactory; property owners powerless; hotels worse than saloons, anti compensation (41913-9).

- FISHER, ISAAC B., of New Westminster.....Page 605**  
 Formerly Manager of the Bank of British Columbia, resident thirty years (41841-3).  
 Prohibition would ruin country, would drive people out, favours compensation (41846-65).
- HOUSTON, WILLIAM, of New Westminster.....Page 600**  
 Chief Constable and License Inspector two years, in Manitoba five years; community law-abiding (41736-43); license law satisfactorily carried out, no illicit selling, Indians not supplied by licensees; Sunday closing well observed; favours inspection of liquors (41744-52, 41778-81); smuggling on Canadian Pacific Railway construction under Public Works Act (41754-65, 41777-8); national prohibition would produce illicit selling (41766-70); favours compensation (41771).
- McTIERNAN, PATRICK, of New Westminster.....Page 607**  
 Formerly Indian Agent, in Province thirty-six years (41881-3); drunkenness and fighting on railway construction (41884-9); favours compensation (41893-900); Indians prohibited from liquor; terribly affected (41893-900).
- MOSELEY, WILLIAM, of New Westminster.....Page 598**  
 Governor of Provincial Jail since 1860, statistics (41693-702, 41721-25); crime and drunkenness (41703-6, 41728-35); license law satisfactory in degree; more restriction wanted, inspection of liquor, selling to drunkards (41707-13); enforced prohibition impossible in British Columbia; would produce smuggling and illicit distilling (41714-20).
- ROBSON, REV. EBENEZER, of New Westminster.....Page 606**  
 Methodist Minister, in Province nearly thirty-four years (41866-8); concurs in Church deliverance favouring prohibition (41869-71); anti compenaaation (41876); drinking decreasing (41872); Scott Act in Dundas and Northumberland Counties, Ont., beneficial though violated (41873); traffic has evil effect on liquor men (41879-80).
- TOWNSHEND, WILLIAM B., Mayor of New Westminster.....Page 589**  
 Formerly of Hudson Bay Company; in the Povince thirty-five years; Chairman Board of License Commissioners; growth of country (41498-526); license law works satisfactorily, public interests protected; Sunday closing observed and beneficial; mode of obtaining license; law very well observed; Indians supplied by long shore toughs; no illicit sales (41527-50, 41558-86); anti prohibition, unenforceible; favours compensation (41441-7, 41600-9); drinking habits less than formerly; temperance sentiment growing (41587-99).

## VANCOUVER, 23rd NOVEMBER, 1892.

- ABBOTT HARRY, of Vancouver.....Page 624**  
 General Superintendent of Pacific Division of Canadian Pacific Railway, resident since 1885 (42249-52); license law fairly satisfactory; licenses granted loosely; Sunday observance fair (42253-60); Maine law not enforced; liquor plentiful (42261-7); prohibition under Public Works Act on Canadian Pacific Railway construction; smuggling in spite of honest endeavours at suppression (42268-79; 42296-9); favours compensation (42280-2); prohibition would injure travel (42283-6; 42300-6); Canadian Pacific Railway avoid drinkers; have some non-abstinence men (42287-94; 42307-16).



- COPE, FRANK, Mayor of Vancouver.....Page **610**  
 Merchant, resident four years (41923-4); License Commissioner (41938-9); license law satisfactory; inspection carried out; Sunday closing observed; Indians given liquor by outsiders, not licensees (41940-55, 41973-83); Scott and Dunkin Acts unsatisfactory in operation (41956-61; 41964; 41984); anti prohibition (41962-72); favours compensation (41985).
- DEVINE, JOHN, of Vancouver, Agent.....Page **646**  
 Collector in Province seven years; License Commissioner (42712-7); license law enforced would make fine city; not enforced; liquor sold in restaurants Sundays and week days; fears increase of licenses; hotels preferable to saloons; favours regular hours for closing (42718-40, 42771-85); License Inspectors' duties not performed (42741-6); favours prohibition; impracticable at present; compensation dependent on circumstances (42749-57).
- HAMMERSLEY, ALFRED ST. GEORGE, of Vancouver.....Page **654**  
 Barrister and City Solicitor, resident four and a half years (42876-7); license laws in Australia and New Zealand much the same as here; preferred to local option (42880-93); Sunday law beneficial though violated (42894-6); suggests severe punishment for habitual drunkards (42897-9); prohibition impracticable, failed in New Zealand, produces smuggling; favours compensation (42905-16); licenses in Australia and New Zealand require consent of community; annual application; are granted hotels only; carry no vested right (42917-30).
- JACK, W. D. BRYDONE, M.D., of Vancouver.....Page **653**  
 Resident three years (42838-40); license law satisfactory, though violated (42843-7); favours prohibition, next license; compensation or time (42848-52); Sunday drinking, social evil and liquor (42853-5); abstinence conduces to best health; drinking hereditary; enforced prohibition would prove beneficial; abstainers and insurance (42856-7).
- JORDAN, GEORGE A., of Vancouver.....Page **614**  
 Police Magistrate, appointed by Provincial Government (42024-9); community law-abiding; Chinese and liquor (42030-6); liquor and crime (42038-9; 42062-70); law well observed; Sunday selling; prosecutions; no illicit selling; police enforce law; insufficient (42041-51; 42071-2); Scott Act failed in County of Victoria; repealed (42052-7; 42073-4); prohibition impracticable; facilities for smuggling and illicit distilling; favours compensation (42058-61; 42075-96); law broken, disastrous; fault of officials (42097-103).
- McLEOD, MURDOCK G., of Vancouver.....Page **621**  
 License Inspector, Jailor, and Clerk of Police Court; resident four years; official duties (42178-84; 42214-20); bars closed Sundays; no illicit selling, unless in fancy houses (42185-95; 42211-3; 42221-39; 42246-8); Scott Act in Bruce, Ontario, failed to prohibit; was repealed (42196-203); prohibition impracticable in British Columbia on account of facilities for smuggling, and illicit distilling; favours compensation (42204-10); crime and liquor (42240-5).
- McGUIGAN, THOMAS F., of Vancouver.....Page **613**  
 City Clerk; in Province eight years (41986-90); license law works fairly; strict Sunday closing (41994-5); prohibition impracticable (41996-9; 42013); liquor under permit in North-west Territories; on Canadian Pacific Railway construction under prohibition; smuggling in every shape from all quarters (42000-12; 42015-21; favours compensation (42014); too many licenses (42023).



- McGUITAN, W. J., M. D., of Vancouver.....Page **638**  
 Medical Health Officer, Coroner, and Alderman ; formerly surgeon on C. P. R.; in Province since 1885 (42524-31); smuggling on C. P. R. construction under Public Works Act despite police (42532-41); license satisfactory, Sunday law violated, all licensees offend; liquor men law breakers; popular sentiment favours violation; wants Sunday closing (42542-71, 42603-14); deaths from liquor (42572-7); abstinence and excessive drinking incompatible with health (42578-80, 42585-99); insurance companies refuse liquor sellers (42581-4); prohibition impracticable; favours compensation (42615-7, 42621-29); favours punishing drinkers and sellers violating law (42618-20, 42630-31).
- McLAREN, JAMES, Chief Constable of Vancouver.....Page **617**  
 Resident since 1886 (42104-7); duty to enforce license law; License Inspector reports to him (42108-9); law works well; Sunday law maintained; convictions at first, difficulties of enforcement, drunkards mostly outsiders (42111-28; 42138-51); prohibition impracticable, smuggling (42132-7); fancy houses and liquor (42152-60); crime and liquor (42161-70).
- MELLON, HENRY A., of Vancouver, General Merchant.....Page **650**  
 American Lloyd's agent and Justice of Peace, resident six years (42786-7); license law satisfactory (42791-3, 42820-3); prohibition at Rapid City, North-west Territories, good two years, then failed; smuggling became a nuisance, license introduced and enforced (42794-805); license laws and drinking in China, India, Turkey and Mediterranean ports (42806-16); anti prohibition; means illicit distilling or smuggling; favours compensation (42817-19, 42833-7); grogrations optional in navy; abstinence in navy (42824-32).
- MILLAR, JOSEPH E., of Vancouver.....Page **628**  
 Collector of Inland Revenue, in Province three years; his duties (42317-24); beer trade increasing, statistics (42325-34; 42360-6); license law works well; favours high license, and fewer licenses, with no saloons (42335-41; 42367-81); prohibition impracticable, would induce smuggling (42343, 42382-5); illicit manufacture small (42344-6); favours compensation (42349-59).  
 Recalled.....Page **613**  
 Presents statistics of liquor from bond at Donald (42632-40).
- ODLUM, EDWARD, of Vancouver, Fire Insurance agent.....Page **643**  
 Resident in Province four years (42641-4); Scott Act and Dunkin Act conflict in Renfrew, Ontario; Scott Act induced drinking; liquor brought in from Quebec; repealed (42645-54); license law works satisfactorily (42655-6); favours prohibition if practicable, at present impracticable; requires large majority; license preferable to untrammelled traffic, favours compensation (42656-65); license in Australia, more drinking there (42666-69); drinking in Japan (42670-1); liquor stores and dwellings adjoining charged higher rates of insurance (42777-9).
- PRESTON, ISAAC, of Vancouver.....Page **634**  
 Retired farmer, in Province three years (42434-8). Scott Act unsatisfactory in Durham County, Inspector did not work, magistrates declined to act, people disgusted with non-enforced law; was repealed; Dunkin Act also failure (42439-54, 42460-2, 42495-7, 42502-10). Intimidation during Scott Act (42470-6). Total prohibition popular and practicable, shown by Scott Act votes (42455-9, 42463-9, 42477-90, 42511-23). Anti compensation, would relieve small men (42491-4). Liquor sold on Sundays (42498). Scott Act preferable to license in Ontario (42500-1). Growth of temperance sentiment, difficulties of prohibition (42503-6).

ROBSON, CHARLES WILLIAM, of Vancouver.....Page **645**

Manager for Hudson Bay Company, licensee; in Vancouver three years; in Province eight years (42680-90). License law satisfactory (42691-3); well observed (42703-6); prohibition impracticable; smuggling would ensue (42695-6); Favours compensation (42701); Canadian liquors inspected; imported liquors not inspected (42697-700; 42707-11).

SCHOFIELD, FREDERICK, of Vancouver.....Page **631**

District Magistrate, appointed by Provincial Government, resident five years; Solicitor from County of Leeds and Grenville, Ontario (42386-92); license law prevents disorder, too many licenses, advocates hotels (42393-8); Scott Act unsatisfactory in Leeds and Grenville (42399-402; 42407-9; 42419-21); prohibition impracticable in British Columbia (42403; 42432-3); favours compensation (42404), high license, restriction and rigid inspection (42405); Charges before him; liquor and crime (42410-18); prohibition for Indians essential; otherwise would injure Province; liquor traffic dangerous; a menace (42422-31).





